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The State of New Hampshire.

MISCELLANEOUS

PROVINCIAL AND STATE PAPERS

1725-1800.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE.

VOL. XVIII.

COMPILED AND EDITED BY

ISAAC W. HAMMOND, A. M.,

LIBRARIAN NEW HAMPSHIRE HISTORICAL SOCIETY.

"He who takes no interest in the history of his ancestors does not deserve to be remembered by his posterity."

MANCHESTER:

JOHN B. CLARKE, PUBLIC PRINTER.

1890.

JOINT RESOLUTION relating to the preservation and publication of portions of the early state and provincial records and other state papers of New Hampshire.

Resolved by the Senate and House of Representatives in General Court convened:

That His Excellency the Governor be hereby authorized and empowered, with the advice and consent of the Council, to employ some suitable person — and fix his compensation, to be paid out of any money in the treasury not otherwise appropriated — to collect, arrange, transcribe, and superintend the publication of such portions of the early state and provincial records and other state papers of New Hampshire as the Governor may deem proper; and that eight hundred copies of each volume of the same be printed by the state printer, and distributed as follows: namely, one copy to each city and town in the State, one copy to such of the public libraries in the State as the Governor may designate, fifty copies to the New Hampshire Historical Society, and the remainder placed in the custody of the state librarian, who is hereby authorized to exchange the same for similar publications by other States.

Approved August 4, 1881.

In accordance with the foregoing resolution, the Governor, with advice of the Council, on the twelfth day of October, 1881, appointed and commissioned ISAAC W. HAMMOND as "Editor and Compiler of State Papers."

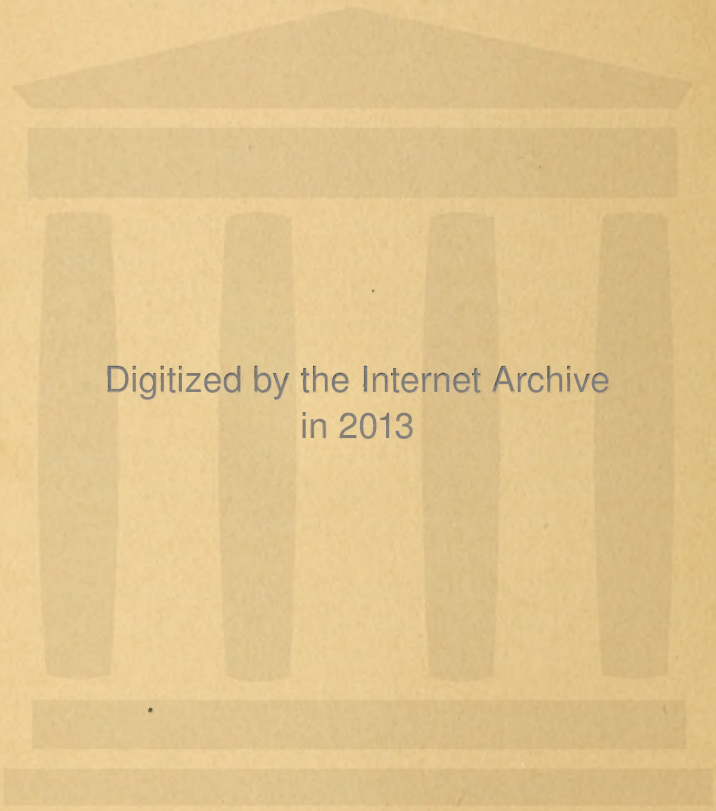
EDITOR'S PREFACE.

This volume completes the publication of the Miscellaneous Provincial and State Papers from 1725 to 1800. These papers were selected by the editor from a mass of papers in the state house in 1880. The volume also contains all the "Belknap Papers" which were not published in Vols. IV., V., and VI. The appendix contains some documents, furnished by Hon. Horatio L. Wait, of Chicago, relative to his Revolutionary ancestor, Joseph Wait, also papers furnished by Frank W. Hackett, Esq., concerning early church affairs, etc., in Portsmouth. To both of these gentlemen the editor is indebted for copies.

The editor regrets the size of the volume, but as he was many times during its compilation earnestly requested by students of history to be sure to leave out nothing that could possibly be of historical value, it could not well be helped. If this volume receives as favorable criticism at the hands of the public as have the preceding volumes edited by him, the editor will feel that his labor has not been in vain.

Under Governor Sawyer's administration, a committee of the Executive Council on the publication of the early province and state papers was appointed, consisting of Hon. A. S. Batchellor and Hon. John B. Smith, to which the Secretary of State was afterwards added. Councilors Batchellor and Smith made the following report, which was accepted by the executive body. As it contains full information relative to the early provincial and state papers of New Hampshire, and as it has not been heretofore printed by the State, the editor has thought it advisable to insert it here. It shows exhaustive research on the part of the committee, for which much credit is due them.

I. W. H.


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REPORT.

To His Excellency the Governor:

The committee appointed to determine what papers in the custody of the secretary of state, or elsewhere, shall be included in a further continuation of the publication of early state and province papers heretofore undertaken, respectfully submit the following report:

The work of publishing the early province and state papers of New Hampshire has progressed in accordance with the provisions of several public resolutions of the Legislature. These resolves, in the order of their enactment, are appended to this paper.

Dr. N. Bouton edited ten volumes, seven of which related to the period between 1623 and the American Revolution. One volume, the eighth in the series, contained papers which related principally to the time of the Revolution. The ninth volume was devoted mainly to town papers of the period prior to the year 1800. It also contained important documents relative to the work of the early constitutional conventions. The tenth and last volume of Dr. Bouton's work contained valuable papers relating to the controversy with Vermont, the results of the first census enumerations, and the journals of constitutional conventions.

It appears that Dr. Bouton published the journals of the assembly (with the exception of the House Journal, 1711 to 1722), and other contemporary papers, without assuming a large discretion to make abstracts from and condense the original text, until his work had been brought down to the year 1754. At this point, with the consent of the Governor, he began to make omission of such matter as he deemed of minor importance (see vol. 6, preface p. 3, and note on page 320). He continued on this method until the end of volume 8. We regard this as a very unfortunate change in the plan of the

work. It is not possible for the most learned editor to anticipate what part of such records will be deemed especially important and valuable by those who will have occasion to consult them in an indefinite future.

The omission of material parts of such a record from printed copies is a source of endless inconvenience; for, however full and judicious a mere abstract may be, its incompleteness renders it untrustworthy, and often that which is most sought for by those engaged in historical research is hidden in the rejected manuscript.

No period of our history is more important than that from 1754 to 1784, wherein Dr. Bouton's work is fragmentary. It should have included all the manuscript records we have relating to the French and Indian War, the agitation and controversy which preceded the Revolution, and all relating to the Revolution itself, in all the phases of its inception, progress, and consummation.

Much of the official correspondence and other papers illustrative of the period, has been printed in subsequent volumes, edited by Mr. Hammond.

The publication of the journals of the council and legislative bodies was not attempted by Dr. Bouton, later than November, which was the end of the political year 1782–83. The state government, under the constitution of 1784, did not go into operation till June, 1784. We see no good reason why the journals and contemporaneous official papers from November, 1783, till June, 1784, should not be published in the series. From June, 1784, till June, 1793, was a period of great importance and interest in the history of New Hampshire. In that time occurred the federal and state conventions, from which came the federal union; and, in the same time, questions of internal policy and of government, all of vital importance to the young State, were discussed and settled. All available town papers in the state archives have been published to the year 1800. The rolls of the soldiers of the Revolution have also been given in the same series. It seems very desirable that the matter still unpublished, and which relates principally to civil administration and constitutional development, should be arranged and printed as a continuation of the series on a logical and comprehensive plan.

The material for the additional volumes may be classified and described in parts.

1. The Charters of Towns.— A great portion of the territory of this State, and a part of what is now the State of Vermont, were granted in townships by the royal governors of New Hampshire. These charters or grants are recorded in five volumes. They contain the names of the original grantees, and a plan of each grant with courses and distances duly indicated. These instruments are the sources to which the owners of real estate must revert to complete the abstracts of title in almost every town in the State. There is but one copy of these records. It is not good policy to hazard the existence of all this important title evidence upon the preservation of these manuscript volumes from fire and other forms of destruction or defacement. They are a part of the documentary history of the towns. When published in this series of state papers, they become freely accessible in the public offices and public libraries of every municipality. As a useful and appropriate feature of such a publication, copies of the early township maps might be included in the books. A sample of such illustration may be seen in the Vermont governor and council records, Vol. VIII. p. 430.

A few of the grants in New Hampshire were by Massachusetts authorities, and a considerable number of townships in Vermont were New Hampshire grants. These should all be included in the contemplated work, because they are necessary for purposes of completeness, and the increased demand thereby occasioned would amply compensate for the small additional expense to the State.

2. The journals of the councils and assembly for the sessions in which they have not yet been reprinted, and those which have been reproduced in a mutilated form, are in order for publication in volumes of this series, so that this class of the early papers may have place in the work. They should be brought down to the year 1800, and thereby the records of legislation will have been made equally accessible with the contemporaneous records of local affairs, already given in vols. 9, 11, 12, and 13, which are limited to a period prior to 1800.

3. The laws of the Province subsequent to 1771, and of the State

from 1775 to 1800, are not accessible, except in a few places, and it is doubtful if a complete series is now in the possession of any single custodian. The public acts were in many of those years published separately in sheets, and no complete set of the printed laws can be found. The exception in article twenty of the bill of rights in the state constitution, limiting or qualifying the right of trial by jury, renders it necessary for the courts and the people generally to consult the statute law existing prior to the adoption of that instrument, whenever the usage or custom as to modes of trial is in question. It is right and expedient that the laws of the period should be in printed form convenient for the use of the public. This would be effected by publishing in this series all the acts and resolves subsequent to 1771 in the order of their enactment. The manuscript records in the office of the secretary of state, all authenticated publications of those acts, and the contemporaneous compilations should be consulted for that purpose. Careful annotations, having reference to alterations and repeals of these acts, are always important in such works, and thorough indices are indispensable.

4. The miscellaneous papers are not readily classified, being partly related to legislative and partly to administrative matters, but they are an important element in the archives. They grew out of the civil, military, and diplomatic relations of the colony and early state government. There are minutes of the council, messages of the governors and the replies thereto, records of the correspondence and controversies with adjoining provinces about boundary lines and other matters, that are still accessible. Papers are received also from time to time from England, which relate to New Hampshire as a colony of Great Britain. This division includes matter which cannot reasonably be omitted from the series. A considerable part of vol. 17 was devoted to this class of papers, and more will be given in vol. 18, now in preparation.

5. Another class of papers which should be included in this publication consists of the records of the provincial council while acting as a judicial tribunal. This matter is subject to frequent reference for the information it contains as to the jurisprudence of the colony. In its present form it is available for use only by the

expenditure of much labor and time. It is not necessary that names of parties should be given in all cases to the annoyance of any who may be sensitive on matters of ancestral record. With judicious editing of the material, it would be a publication of great legal and historical value.

The prefatory statements in the seven volumes edited by Mr. Hammond give all necessary explanation of the plan, scope, and progress of his own work. There is no better method of ascertaining its character and quality than by a critical examination of the indexes and text. We have no hesitation in asking a full application of these tests of merit.

A few more volumes will complete the work to the year 1800. We have no doubts as to the expediency and necessity of an active and immediate prosecution of it to a consummation worthy the sterling history of the State.

We were formerly at a disadvantage in the hands of national historians, journalists, and general writers, in the presentation of our part in the military events of the colonial and revolutionary period, and in the development of civil government in the original States. The cause of this lay in the inaccessible condition of our state archives. General and school histories seemed to depreciate or to ignore New Hampshire as a factor in the Revolutionary struggle. The publication of the rolls of our soldiery in the war for independence has occupied more than three thousand pages of the work under review, and the evidence of the patriotic effort and sacrifice of the people of New Hampshire can no longer be discredited. That evidence is now in the principal libraries of the country.

The deficiency in authentic and accessible printed works, in which the civil history of the State can be sought from the original records and writings for the period from 1754 to 1800, still exists in too large measure. Those who have in charge the compilations relative to the recent national centennial celebrations are in confusion and error on many points of New Hampshire history touching those events. The recommendations here made point to full and effective remedies of this deficiency. A reasonable pride in the record which our State has made in the building of the American republic, we are confident

will refuse to allow our early records to be kept longer in the seclusion of musty manuscripts and in exposure to decay and destruction.

As one result of our observation and examination of this subject we are able to state confidently that the present official custodians have guarded the public archives with jealous care, and yet, notwithstanding all that can be done in the way of precaution on their part, the defacement of constant use and the possibility of unforeseen accident convince us that a certainty of perpetuating the contents of these early records comes only from the multiplication of copies by publication.

The dangers to which we refer are those to which all public books and papers existing in single manuscript originals are subject from the inevitable effects of time and the possibility of accident.

Eventually the matter of a general index to the whole work will require consideration. The index in each one of the first ten volumes is very incomplete. Investigators find it necessary to search the text for the contents of the volumes, when anything of detail is wanted,— anything beyond what is matter of very general reference. The index work in the eight subsequent volumes is very complete and satisfactory. Besides a general prefatory table of contents, we have an index of names of places and persons in each book. Whether upon the completion of the entire work contemplated a general index should be prepared and published, or whether a separate index of the Bouton volumes is desirable, are questions not now urgent. If the journals and other papers published by him in an incomplete form should be given in full hereafter in the series, the publication of a general index would best be deferred. Meantime the index cards prepared and used by the compiler in the current volumes should be preserved for use in any general index that may possibly be authorized in the future.

NOTE. — The original report, of which this is a copy except as to some immaterial changes in phraseology, was adopted by the executive council to which it was submitted, in May, 1889.

Councilors, { A. S. BATCHELLOR,
JOHN B. SMITH.

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MISCELLANEOUS

PROVINCE AND STATE PAPERS.

THE STATE OF NEW HAMPSHIRE.

MISCELLANEOUS PROVINCE AND STATE PAPERS.

[CONTINUED FROM VOLUME XVII.]

[The references at the beginning of the documents (2–144, etc.) are to volume and page of "Miscellaneous Province and State Papers," in the office of the secretary of state, where the originals may be found. — ED.]

[*Vote relative to Building a State House.*]

[Copied from the Hibbard Manuscripts, Vol. III., p. 167, New Hampshire Historical Society.]

In Coun[l] May 26[th] 1725 —

Forasmuch as the sitting of the General Assembly and holding y[e] Court of Justice at a Common Inn or Tavern as has been heretofore used within this Province is not onely a dishonour to the Goverment but attended w[th] Inconveniencies too well known to need a mention: *And* whereas the s[d] Dishonour and Inconvenience may both be remedyed by building a State house for holding the s[d] General Assem[y] and Courts in which may be done without any charge to the Province in the following manner (viz[t]) By depositing so much money in the hands of a Committee as shall be sufficient to defray y[e] charge of building s[d] house, which s[d] sum to be sunk by burning thirty pounds annually till the whole shall be Consumed — Eighteen of the said thirty pounds to be paid out of y[e] excise and the remaining twelve out of y[e] Treasury yearly which now is and for a Considerable time past has been paid to the Proprietor of Tavern Rooms for y[e] use thereof — Therefore

Voted That a Committee be Immediately chosen to Consider of & make a Plat for ye s^d^ house, & report it to ye Genl Assembly, for their approbation in order to their Chuseing a Committee to agree wth workmen to build ye same: And further that when this Province shall be so enlarged, as the Genl Assembly shall see meet to divide it into two Countys, a State house shall be built for ye new County at the Province Cost

Richd Waldron Cler: Cou.

Eod^m^ Die/

In the house of Representatives Read and Non-concurred

James Jeffrey Cl^r^ Ass^m^

[I fail to find any mention of the foregoing in the printed Council records. The Assembly record of May 27, 1725, is as follows. — Ed.]

A message to the house by Geo Jaffrey Arch^d^ Macpheadris & Jno Frost Esq^rs^ with a Vote of Council for building a State house at Portsm^o^ which was immediately returned by Capt John Gillman & Mr John Sanburn non concurr'd.

[2–144] *Copy of a Letter to Governor Vaudriel.*

[Handwriting of Secretary Waldron.]

Sir In Consideration of the Treaty at Utrecht and the alliance and firm amity which is now Subsisting between our Masters I could never have thought that our heathen Enemy the Indians had any Countenance or Encouragement In the Prosecution of their unjust warr ag^st^ us from Canada were it not too obvious to be doubted or that those men of blood were Shelter there had they not from time to time fled thither & been Secured from our Pursuers, and I hope Sir that upon a review of those things you may be of opinion that what has been hitherto done on the part of ye French in that matter is not justifyable by the law of Nations, and thereby be Induced to forbear the like for the future, and Indeed Sir I am not a little Surprised that you detain any of the Subjects of King George or Suffer them to be detained Prisoners in Your Goverment which have of late been Captivated by the Indians & led thither but I presume for ye reasons before Exprest It will be no more so, and that all ye Captives now at Canada will be immediately deliver'd to Mr Theod^r^ Atkinson the bearer hereof who is now going In behalf of This Goverment by My order & in the name of my Soverign Lord King George to demand

them as his Subjects at your hands, and To remonstrate to you the Inconveniencys which probably may attend your further Encouraging & protecting ye vowed & open Enemys of ye King of Great Brittain to whom be pleased to be referred

[The letter was sent to Governor Vaudreil, of Canada, by Theodore Atkinson, who was appointed by Lieutenant-Governor Wentworth, in accordance with a vote of the Assembly of December 12, 1724, to join commissioners from Massachusetts, Connecticut, Rhode Island, and New York, to go to Canada and remonstrate with the Governor for violation of the treaty of Utrecht. See Vol. IV., pp. 163, 174. — Ed.]

[2–144]

[*Summons to Samuel Emerson to Answer for Obstructing a Deputy Surveyor*, 1725.]

Pro: of } To The Sheriff of The S^d^ Province His Und^r^ Sheriff or
N–Hamp^r^ } Deputy Greeting

Pursuant to an order of His Hon^r^ the Lieu^t^ Govr You are hereby required in His Majestys name immediately on receipt hereof to Summon Capt Saml Emerson of Dover Gentleman to appear at the Council Chamber in Portsm^o^ before his Hon^r^ ye Lt Govr tomorrow at 10 oclock beforenoon, to answer ye Complaint of Ich^a^ Chesley of S^d^ Dover yeoman, for obstructing him ye S^d^ Chesley in ye Execution of His office as Deputy Surveyor of ye woods Sometime within a Month past at Dover aforesaid wch is Contrary to ye Peace of our Sovereign Lord ye King His Crown and Dignity. Dated at ye Council Chamber in Portsm^o^ aforesaid ye thirtyeth day of Decem^r^ 1725

Richd Waldron Cler Cou

Make return of ye Precept wth yor Doings at time & place above mentioned — R Waldron Cler Cou

Provenc of New Hamsher Desembr the 31 1725

with obdenc of to this within presep I hath Summuns Ca^t^ Samuel Emerson Richd Ward Dep Sher

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[2–145] [*Governor's Order in Favor of R. Wibird*, 1726.]

Pro: of } By The Honourable John Wentworth Esqr Lieu^t^ Govr
N: Hamp^r^ } and Commander in Chief of the Said Province

Pay unto Richard Wibird Esqr out of the Treasury — thirty three

pounds three Shillings and ten pence for Sundry disbursm^{ts} on the Brigantine Squirril, and for the voyage to Casco upon the ratification with the Indians for which this Shall be your warrant. Given under my hand at Portsmouth the 20th day of August 1726

J : Wentworth

To Mr Treas^{r} Penhallow N-Hampshire

[2–146]

[*Proceedings in Council relative to Samuel Thing, not Printed in Council Records*, 1726.]

Pro : N. Hamp^{r} At a Council at Portsm^{o} Sep^{t} 26, 1726 —

Present in Coun^{l}

His Hon^{r} Jno Wentworth Esqr Lt Govr

Mark Hunking, Geo : Jaffrey, Shad^{a} Walton } Esq^{rs}

R. Wibird, A. Macphedris, Jno Frost } Esq^{rs}

Jotham Odiorne Esqr

Upon Complaint of Nathan Tailer Benj^{a} Sanburn and Saml Stevens agst Saml Thing Esqr for mal-administration in his office as Justice of the Peace (as at large on file) The Case being opened by ye Kings Attorney in behalf of the Complain^{ts} and the respond^{t} being fully heard in the premises — It is resolved that the following Minute of Council be publickly read at ye board in presence of the s^{d} Justice Thing (vizt) That the Compl^{ts} have fully made out and proved their Charge exhibited agst him, and forasmuch as ye said Justice Thing stands now convict, of perverting ye law and mal-administration (in his capacity afores^{d}) in sundry Instances as Expressed in the s^{d} Complaint It is Ordered nemine contradicente, That the s^{d} Saml Thing Esqr be suspended from ye place and office of a Justice of peace and he is hereby suspended from exercising the said place & office for ye space of 3 m^{o} next Coming. And forasmuch as it is suggested to ye board that these are not the first Instances of the s^{d} Mr Things misfeasance and illegal proceedings in his Justiciary administration It is further ordered that his suspension afores^{d} be continued from ye end of ye s^{d} 3 m^{o} during ye Pleasure of ye Lt Govr & Council unless at ye Expiration y^{re}of he appear at ye board & vindicate his character especially in ye matter of Foulsham & Morgan (mentioned by ye Kings attorney): and that ye respond^{t} pay Costs am^{o} to £3. 8 —

R. Waldron Cler Cou.

[Endorsed] Minute Coun. 7^{br} 26 1726

[A number of depositions, copies of warrants, and minutes of the proceedings of the justice's court, held by said Samuel Thing, accompany the foregoing. — ED.]

[2–156] [*Memorial of John, Son of Sir Charles Hobby*, 1726.]

Province of New Hampshire, Novemb^{r} : 22 : A. D. 1726.

To The Honble John Wentworth Esqr Lt Govr and Commander in Chief & ye Honble the Council & Representatives in General Court Assembled

The Humble Memorial of John Hobby Son and Heir of Sr Charles Hobby — Sheweth —

That your Memorialist has by Descent from his s^{d} Father Sr Charles Hobby a just right to half ye Lands of this Province wch he purchased of Mr Thomas Allen Son and Heir of the Honble Saml Allen Esqr — And now forasmuch as the main & principal parts of it are actually settled by the Labours and at ye great expense of ye blood and treasure of the present inhabitants, Your Memorialist is therefore willing to make them very easy in their possession however they were induced at first to possess themselves wrongfully of them — My business therefore at this present is to move this Honble Court in behalf of the Inhabitants of y^{s} [this] Province to consult some proper methods whereby ye Inhabitants may be Intirely contented and at the same time I may not be utterly disinherited and lose my patrimony among them —

This is an affair will doubtless be best Compromised in peace, both for ye safety of our estates and satisfaction of our Consciences and the Issue may be Gods blessing upon our Labours & the security of our persons from his Chastisements by the barbarous Heathen The only thing I can suggest at present as a leading step to it will be (if this Honble Court think well of it) to have a Committee of some moderate & discreet persons appointed by this Court in behalf of the Inhabitants that we may freely and friendly debate the matter make mutual offers & proposalls for an accommodation & when we conclude if the matter be pleasing to ye Inhabitants we shall ratifie them. —

And I hope this Honble Court will see the persons appointed (if they come into the proposal now made) be men of peace and moderation willing to administer Justice altho' some temporal damage is sufered by it for I determine to govern my self by such advice, and if it be possible to prevent any further Contest & so I rest y^{s} Proposall before your Honour & y^{s} Honble Court &c

John Hobby

[The foregoing memorial was read in Council November 23, and sent to the House. November 24, the matter was considered in conference of the Council and House. November 29, "The vote of the Councill of the 25th Inst. Relating to Mr John Hobbys Memorial was Read & Nonconcurred" There is no record of said vote of Council in Vol. IV. In General Assembly, November 30, action was taken as follows. — Ed.]

The Memorial of John Hobby Esq having been Considered in this House The House are of opinion yt the Laws of the Province are Sufficient to determine any controversy with respect to any title of land lying wthin the Same and it being unpresidented for this House to take any Cognisance where the Title of land is determinable by the Courts of Common law within this Province, Therefore Voted — That the said Memorial be dismist — 9br 30th 1726

Jam Jaffrey Cler. assem.

In Coun. Eod die — Read and Concurred

R. Waldron Cler. Cou.

[2–158]

[*Memorial of Samuel Waldo concerning some Masts alleged to have been Cut in Rochester*, 1727.]

Province of New Hampshire ss. } To the Honble John Wentworth Esqr Lt Govr & Commander in Cheif & the Honble the Councill of the said Province

Samuel Waldo of Boston in the Province of the Massachusetts Bay Mercht: Humbly Sheweth

That Ralph Gulston of London Merchant hath contracted with the Right Honble the Lords of ye Navy board to supply ye Royall Navy for ffive years now in being And yr Petr hath ye Royall Licence pursuant for the cutting of White Pine Trees in the Province of New Hampshire, or elsewhere, by ye Procurement & for ye use of the said Ralph Gulston, and the sd Gulston understanding that one Hanson & Company having in the year 1725 within the Province of New Hampshire cutt down Thirty four White Pine Trees without the bounds of any Town now settled, but pretending the same to be in the Bounds of a certain Township called Rochester but not settled & whereof the Govr of New Hampshire has reserved the White Pines for his Majestys Service, & this they have done without the Royall License, & against the form of a certain act of Parliament, made att a Session of

Parliament held att Westminster in the Eighth year of his present Majestys Reign, Intitled an act giveing further encouragement for ye Importation of Navall Stores, & for other purposes therein mentioned, & that there is Thirty Three Masts & Bowspritts from 22 to 35 Inches Diameter made from said Trees lying in Portsmouth within this Province, Whereupon the said Ralph Gulston Insisteth that by force of the Act of Parliament aforesaid all the said Masts & Bowspritts made from ye said Trees are forfeited, & ought to be siesed for the use of his said Majesty, & that I should do every thing therein proper both for ye Intrest of his Majesty & also to prevent his private damage who has made the Contract afores^d^

Wherefore y^r^ Pet^r^ in behalf of the said Ralph Gulston humbly Prays yor Hon^rs^: & this Honble board that he may so farr obtain your Hon^rs^ ffavour and assistance, since the Deputy Surveyor of His Maj^tys^ Woods [Robert Armstrong] refuseth utterly to Intermeddle therein, as that by the order of this Honble Board the said Masts & Bowspritts may be seized as forfeited as aforesaid, as being cutt and gotten without the Royall Licence, against the Act of Parliam^t^ aforesaid, & the Provision & Reservation of the Govern^t^ here, & that the Attorney Generall of this Province of New Hampshire may be directed to file an Information against them, att the adjournment of the Sup^r^ Court next, & purrsue the same to effect, & y^r^ Hon^rs^ most humble Pet^r^ as in duty bound &c.

S^a^ Waldo

[Endorsed] Province of N. Hamp^r^ Received the within Memorial from Mr. Richard Waldron this 7th Day of March 1726–7 —

[For legislative action, see Vol. IV., pp. 14, 15. — Ed.]

[The following are from copies obtained in London by the New Hampshire Historical Society, from copies transmitted by the provincial Governor. The editor has selected such portions as are not printed in Vol. IV. of this series. — Ed.]

Prov: of N. Hamp^r^ At a Genl Assem^l^ ℔ adj^t^ thursday Apr^l^ 25th 1728

Present His Hon^r^ John Wentworth Esqr Lt Govr

Mark Hunkin, Geo: Jaffrey, Shad^a^ Walton } Esq^rs^

Richd Wibird, Joth. Odiorne, H. Sherburne } Esq^rs^

A message to the board ℔ Messrs Tibbits & Thing with a vote for repealing ye powder act which was returned ℔ Messrs Jaffrey and Sherburne with orders to acquaint the House His Honr could not repeal the act unless a better method of supplying ye fort with powder could be projected.

Adjourned til tomorrow 9 a Clock A. M.

[May 17, 1728. In addition to Vol. IV., p. 297.]

A message to the board ℔ Mr. Dennet with a vote for a Committee of Audit namely Messrs Thing Pierce and Atkinson wch was Concur'd & ye Gentn appointed on ye part of ye board are Messrs Wibird Frost and Sherburne.

[April 25, 1729. In addition to Vol. IV., p. 537.]

His Excellency was pleased to communicate to the Board a Vote of the General Assembly of the Massachusetts appointing Commissioners in behalf of that Goverment to joyn such as might be chosen by this to settle the divisional line of the two Provinces which was read & sent down by the Clerk.

A message to the House by the Clerk with the Petition of Capt Paul Wentworth and others praying for a Parish in the northerly part of Dover.

By the same Message a Petition in behalf of several Indians Praying an equivalent for the guns taken from them by this Goverment.

A message to the Board by Messrs Atkinson and Mathes with the Petition of Capt Wentworth and others (sent down this day) with a vote of the House for appointing a hearing on said Petition on Wednesday next and notifying the selectmen of Dover thereof which was consented to In Coun[l]

[May 1, 1729. In addition to Vol. IV., p. 539.]

To His Excellency William Burnet Esqr Capt General and Commander in Cheif in and over His Majestys Province of New Hampr and Vice Admiral of the same

The answer of the House of Representatives to your Excellency's speech of the 22d April

May it Please Your Excellency — At the opening this Session you was pleased to mention your inclination to have met us before had not the difficulties your Excellency met with in your other Goverment prevented you, which difference your Excellency was pleased to say

was so far accepted in yor Excellency's favour, as that you had the approbation of the Lords Commissioners for Trade & plantations for declining to accept of money from the Assembly there on any terms different from those in your Excellency's Instructions — Now Inasmuch as we are altogether unacquainted with controversys between yor Excellency and the Assembly of your other Goverment, and the different Circumstances we are under from them both by reason of the charter and the ability of that people beyond that of our own together with your Excellency's demands upon each of us, which will scarce bear any proportion Therefore we hope your Excellency will not take it amiss if we think it not parallel Your Excellency's demanding one fifth part as much of us as you do from them who by a modest computation is twenty times as great both in polls & estates — Now we humbly crave leave to say that ever since we have had the favour of a Goverment we have given abundant satisfaction to our Governors from time to time by our usual allowances to them and without dispute have been generous to the utmost of our ability and what your Excellency demands of us is more than what ever hath been demanded before and as we have been always ready upon all occasions to manifest our loyalty to our King in supporting our Governor so we hope we shall pass such votes as your Excellency may accept — We do and always shall with the utmost sense of Gratitude acknowledge any the marks of your Excellency's favour to us, and return you hearty thanks for the tender your Excellency was so good as to make of your endeavours to bring the controversy between yor Excellencys Goverments relating to the lines to a happy conclusion

And^w Wiggin Speaker

[Friday, May 2, 1729. In addition to Vol. IV., p. 539.]

A message from the House To the Board by Mr Dennet with Capt [George] Walker's Petition and vote thereon for granting the prayer thereof. —

By the same message the following report and vote came to the Board — Whereas the Petition of Eben^r Easman and Richd Hazen Junr in the behalf of themselves and several others of Haverhill [Mass.] seting forth the difficultys they laboured under by reason of the disputes and uncertainty of the lines of the two Provinces and that the Goverment of the Massachusets has chosen a Committee to Joyn wth a Committee which might be chosen in this Province to meet and consider and settle &c.

The consideration of the Petition and premises being referr'd to us the subscribers as a Committe we make our return as follows — (vizt)

That as to the lands which they set forth their long possession

which they have had, we are of opinion that the common law must decide that which supports every mans right in his property and to chusing a Committee to Joyn wth the Committe from the Massachusets, we have submited that matter to the King and hope His Majesty will in a short time will it

And for the present it would be fruitless for us to meet for there has been several Committes appointed but could never agree where to take their departure to run the west line and altho' their own Charter is in plain words with latitude and longitude yet they insist on a Crooked line, & unless they will prefix the certain place where to begin and so run a West line we suppose it not agreeable to their Charter and we are of opinion that the place which was the intent and meaning of the charter to begin on the north side of Merrimack river by the sea and run three miles north and then a west line and if they will comply with that, That then there be a Committe of this Province chosen to joyn wth their Committe to run s^d^ line and that line to stand 'till his Maj^ties^ pleasure be known

Nathl Weare Shad^a^ Walton
Josh^a^ Pierce Joth. Odiorne

In the House of Represent^s^ May 2^d^ 1729 — The within return was read and voted that it be accepted and sent up for Concurrence

Jam^s^ Jeffrey Cler : Assem.

In Council Eodem die — Read and Concurred

Richard Waldron Cler. Cou.

A message to the House by Messrs Jaffrey and Wibird with the vote of the House sent up yesterday for setling a salary on His Excellency for three years yet to come concurr'd with in Council with ye following amendment vizt inserting after ye words — yet to come or during His Excellencys continuing Governor.

[May 15, 1729. In addition to p. 550, Vol. IV.]

Col^o^ Westbrook is desired to Inquire of Capt Nathaniel an Indian or any other Indian Eastward concerning the river Merrimack, how far upward or Westw^d^ it held that name amongst them &c.

[2–160] [*Proclamation of Peace with the Indians*, 1727.]

By The Honble John Wentworth Esqr Lieu^t^ Govr & Comand^r^ In Chief In and over His Maj^ties^ Province of N. Hamp^r^ In N. England —

A Proclamation of Peace —

Whereas Articles of Submission and Pacification were entered into wth this Goverment upon ye fifteenth of Decr 1725 by Delegates in behalf of ye Penobscut Tribes and other Tribes of Eastern Indians wch s^d^ articles were upon ye fifth day of August then next following ratified and confirmed before me at Falmouth by ye Chief Sachem of the s^d^ Penobscut Tribes and other Principal Indians in ye name of that & ye other Tribes which s^d^ articles have been again and further ratified before me at s^d^ Falm^o^ on ye 21st day of the month of July last past by Moxus Chief Sachem of ye Norridgwock Tribe, Animuit Captain and Councell^r^ of ye Arrasaguntecook, alias St Francis Tribe in his brothers absence; and Nemmagen and Watzarabouet Two Captains and Councellors and two of ye Chiefs of the Wauwenock Tribes, and Awemonet ye Chief Sachems Son and other Principal Indians of each of ye villages for y^m^ selves and their Tribes wth all signs of sincerity and marks of good & friendly dispositions in ye s^d^ Ind^ns^ —

I have therefore thought fit (with ye advice of His Maj^ties^ Coun^l^) to make ye same known by ye Publick Proclamation Hereby strictly eommanding and requiring all His Majestys good subjects in this Province to live in peace and amity with ye s^d^ Indians and not to Commit any acts of Violence or Hostility ag^st^ y^m^ but on ye Contrary to afford y^m^ all necessary Comfort & assistance as occasion shall require —

Given at ye Coun^l^ Chamb^r^ in Portsm^o^ ye fourth day of August 1727 and in ye 14th year of ye reign of our Sovereign Ld George by ye Grace of God of Great Brittain France and Ireland King Defend^r^ of ye faith &c — J. W.

By order of His Hon^r^ ye Lt Govr with ye advice of ye Coun^l^

R. Waldron Cler. Cou.

God Save the King

[2–161]

[*Copy of Commission to Lieut. Gov. John Wentworth, October* 17, 1727.]

George R. —

Seal George the Second by the Grace of God of Great Britain France and Ireland King Defender of ye faith &c —

To Our Trusty and well beloved John Wentworth Esqr Greeting

We Reposing especial trust and confidence in your loyalty courage and prudence Do by these Presents Constitute & appoint you to be

our Lieu^{t} Govr of our Province of N. Hampshire in New England in America, To have hold Exercise & Enjoy the said place and office during our Pleasure wth all rights privileges and profits perquisites and advantages to the same belonging or appertaining. And further in case of ye death or absence of our Capt General and Govr in Chief in & over our said Province of New Hamp^{r} in New England now & for ye time being, We do hereby authorize and empower you to execute and perform all and singular the powers & directions contan'd in Our Commission to Our said Captain General and Govr in Chief according to such Instructions as are already sent on or shall hereafter from time to time be sent unto him or as you shall receive from us, and from our said Captain General and Chief Governour of our said Province of New Hampshire now and for the time being; and all and singular Our officers and Ministers and loving subjects of Our said Province, and others whom it may Concern are hereby Commanded to take due notice hereof, and to give their ready obedience accordingly.

Given at Our Court at St James's ye seventeenth day of October 1727. In ye first year of Our reign —

By His Maj^{ties} Command —

Holles New Castle

John Wentworth Esqr Lt Govr of N. Hamp^{r}

[2–162] [*Warrant for Arrest of B. Rust for Slander*, 1728.]

Pro: of N. Hamp^{r} } To the Sheriff of the S^{d} Province His Und^{r} Sher or Deputy Greeting —

Information being Given to His Hon^{r} the Lt Govr and the Honble board That Benj^{a} Rust of Portsm^{o} in ye Province afores^{d} Innholder Did on or ab^{t} ye 16th Instant Jan^{ry} at ye house of Thom^{s} Harvey in Portsm^{o} and at Sundry other times and Places in a most Scandalous vile and malicious Manner Misuse ye Name and Character of the S^{d} Lt Govr and Council as such by Publickly declaring them to be Cursed Dam'd Rogues, & that they had not done him ye S^{d} Rust Justice, that they had no Power That they were no more a Court than ye Devil That he would Pull them down, that he would head a Comp^{a} to tare them to peices, Dam'd their Legislative Power, and S^{d} they would go to Hell and all this with a mixture of the most Impious & Profane language &c^{a}

These are therefore (In His Maj^{ties} name) Pursuant to an order of His Hon^{r} the Lt Govr and Council to require you forthwth to appre-

hend ye body of the S^d^ Benj^a^ Rust if he may be found within yor Precinct and him bring before The Honble the Council board to be Exam'd in ye Premises and Dealt with according to his deserts for which This Shall be yor Warrant, and make return of yor Doings herein together with this warr^t^ Dated at ye Council Chamber in Portsm the 24th of Jan^ry^ 1727.8 annoq Regni Regis Georgii Secundi primo

R Waldron Cler Cou

[See Vol. IV., p. 15. — Ed.]

[2–163]

Pro: of) To the Goal Keeper of His Maj^ties^ Goal in Portsm^o^ within N. Hamp^r^) the Province afores^d^ Greeting —

Benj^a^ Rust of Portsm^o^ being Convened before His Hon^r^ The Lt Govr and Council to answer for a Vile and Scandalous abuse of them as Such on or ab^t^ ye 16th Instant as in ye Warr^t^ is at large Exprest. You are therefore hereby required in His Maj^ties^ name Pursuant to an ord^r^ of His Hon^r^ The Lieu^t^ Govr & Council To receive ye S^d^ Benj^a^ Rust into ye S^d^ Goal and him Safely keep and there detain til Delivered by order of this board. Dated at ye Council board in Portsm^o^ ye 24th of Jan^ry^ 1727.8 annoq R^ni^ R^is^ Georg: Secund Primo

R Waldron Cler Cou

[2–165]

[*Copy of Letter to Lieutenant-Governor Dummer — Boundary-Line Troubles — In Handwriting of Richard Waldron,* 1728.]

Sir I rec^d^ Yo^rs^ in relation to the process ag^st^ Mr Peasly which I laid before His Maj^ties^ Council here who werre of Advice that forasmuch as ye affair of ye partition line of ye Two provinces is before His Maj^tie^ In Coun^l^ & ye Determination thereof dayly Expected, and In Complyance wth yor request The Same Should be Continued til Our next Term, and It is done accordingly. I heartily Wish Yo^r^ Genl Assem^y^ had not been so forw^d^ In Sending a band of armed men into the bowels of this Goverm^t^ to drive and hale our People wth force & arms into yor Province wch was ye Ground of this pres^t^ dispute, Indeed I could hardly Think Such an unprecedendal proceeding could have been Countenanced much less Commanded but I hope these will be ye last Complaints concerning that matter — As To ye Settlem^t^ of Haverhil bounds upw^d^ of 50 years agoe by ye Genl Assem^y^ whereof ye represen. of N H were a part, To Infer from these that an under Sher: may Come Eleven miles on this Side Merrimack & Execute a

Warr^{t} (from a Justice in Essex) because wthin ye so settled bounds of ye Town is strange I Conceive It may be as well Argued that he may come into Dover or portsm^{o} their boundarys being determined for ye bounds of Those Towns were Settled at or about ye Same time & by ye Same authority yor Genl Assem. when N-Hamp^{r} rep. were a part and Then Sir To what purpose is ye Kings Commission for this Province, but not to multiply words in an affair wch we may hourly Expect to have Our Masters Royal resolution upon, I therefore onely add that as I have Interposed in this matter at yor desire & ye Case is Continued, you will be pleased to favour me in ye like request & for ye like reason & Cause a Stop to be put to a process now on foot agst Some of Our people which is to be bro't forw^{d} at yor next Court In Essex and am

Sir Yo^{r} Very Obed^{t} hum^{bl} Servt

[No signature.]

[2–167] *List of Gov. Burnett's Justices*, 1729.

Shadrach Walton
Richd Wibird
Henry Sherbon
John Plaisted
Saml Thing
Nathl Sargent
James McKeen
Paul Gerrish
James Clarkson
Jabez Smith
George Jaffrey
John Frost
Richd Waldron
James Davis
Maj. John Gillman
John Penhallow
Joshua Peirce
Paul Wentworth
Jonathan Sanborn
Thomas Westbrook
Jotham Odiorne
Peter Weare
Nicholas Gillman
Andrew Wiggin
Saml Winkley
John Downing
Saml Tibbits
Ebenezer Stevens

[2–169] [*Petition from Sarah, Widow of Rev. N. Rogers*, 1729.]

Province of New Hampsh^{r} } To his Excellency William Burnet Esqr Capt Generall & Commander in chief in & over S^{d} Province & to the Honble the Council & Representatives now conven'd in Generall Assembly

The Petition of Sarah Rogers Relict widow & administratrix to the Estate of the Revd Mr Nath^{ll} Rogers late of Portsm^{o} in ye Pro: aforesaid deceas'd Sheweth

That ye S^{d} Mr Nath^{ll} Rogers in the Spring & Fall of Sundry years whilst Coll^{ll} Dudley was Governour of this Province did entertain the S^{d} Governour Dudley at his house during the respective Times of his

continuance in the Province at the Instance & request of the Goverment amounting in all to eleven Sessions of the Gen[ll] Court — yet So it is that neither the S[d] Nath[ll] Rogers in his life time nor your Petitioner Since his Decease have receiv'd any Satisfaction or Allowance for the Same altho' allowances have been always usual in Such Cases Your Petitioner therefore humbly prays that y[r] Excellency & the Hon[ble] the Councill & Representatives would be pleas'd to consider her hard Case & make her such an Allowance as Shall to you Seem most just & reasonable & your Petitioner Shall always pray &c —

Portsm[o] May 6[th] 1729 Sarah Rogers

Read & ordered to lye for Consideration til y[e] next Session

In the house of Representatives X[r] y[e] 18[th] 1729 Read & ordered to lye for Consideration till the Spring Session, and that the Clerk of the ass[m] Endeavor in the mean time to get Information from the Late Treas[r] Penhallows accounts how Gov[r] Dudley was Subsisted Dureing his Goverm[t] — James Jeffry Cl[r] ass[m]

[In General Assembly, April 30, 1731, the foregoing claim was "voted to be dismiss'd." — Ed.]

[2-170]

[*Petition of John and Tamson Tibbetts, relative to two of their Children who were taken Prisoners by the Indians*, 1729.]

To his Exel[cie] William Burnet Esq[r] Cap[t] Gen[ll] & Commander in Chief in and over his Maj[ties] Province of New hampshire in New England, & To the hon[ble] the Councill, & House of Representatives Conven'd in Gen[ll] Assembly —

The Humble Petition of John Tibbets, & Tamson Tibbets his wife Most humbly Sheweth —

That your Petitioners hath been at a Verry great Expence besides their Trouble & Travel in Going to Canada for the Redemption of Two of the Children of yo[r] Petitioner Tamsen Tibbets, (formerly Tamsen Bam) That were taken Captives by the Indians in the late Warr, and Sold to the French, And whereas your Petitioners Did formerly Petition the hon[ble] the liu[t] Govornor Wentworth for a Brief: And the Good People of this Province were so Kind that there was given one hundred and Eleven Pounds, or very neare it: Yet so it is That your Petitioners being verry Poore; and there Remaines yet to be paid for the Ransom of their Children the sum of two hundred & fifty pounds this Money, which they are unable to pay, If they

should sell all they have in the world, And therefore they Most humbly Pray help and Relief: in the premises as yor Excellency & honors in Wisdome shall see Most meet: (the accompt of our Charge & Expence being Ready to be shown if Desired.) And your Petitioners as in Duty bound shall Ever Pray &c —

aprill the 30th 1729

In the house of Representatives the above Petition Was Read: and voted that it be Dismis'd May 2^{d} 1729: — for that ye Pet^{r} has had a Brief* allready: & the accompt is verry Extravagant —

James Jeffrey Cl^{r} ass^{m}

[2–171] A Count of my Charges of a Jurny Canade —

1727 April 30	£	S	D
To my Charg from home to albany	10	—	N E
To my Charg 6 Days at albeny of Thatt money .	2	—	—
To my Whole Charg of Going ovr ye Lake and mons	19	17	—
To Shomble[2] fort Confind 4 Days	1	—	—
To Pilets from Shombele to Canade . . .	2	11	N E
To firridg ovr Laprare	00	10	—
To our Bording 2 months at 30 Livrs Each — Candy money 120 Livers	10	00	—
To Bording 2 Children 21 D att a 1 Livr. . .	3	10	—
To Interpators 42 Livers	1	18	4
To Pasport 6 Livers		10	—
To Provisons for our Return 40 Livrs . . .	3	6	8
To Clothing our Captives 30 Livrs	2	10	—
To Paid for Coming ovr the Lake 54 Livrs . .	4	10	—
To our Charg at albeny	2	4	—
To our Paseg to new york	2	10	—
To our Charg In New york	6	—	—
To our pasheg from york to Boston . . .	4	—	N E
To our Charg at Boston	2	10	N E
To Ransom of our Two Children from The Indans 1270 Livres	105	10	—
	£179	12	0

* License to collect contributions for a specified purpose. 2. Chambley.

Prov^{e}: of New Hampsh^{r} } Mr Jno Tibbetts & his wife Mrs Tamson Tibbetts personaly appering made oath that Thay had advanced the Several Sums above mentioned, on there Jorny to Caniday for the Redemption of Two of There Children as allso for the Ransom of The Same

apr^{l} 30: 1729 — R Wibird Jus^{t} p

[2–176]

[*Jonathan Belcher's Commission as Governor of New Hampshire, January* 20, 1730.]

George The Second By the Grace of God of Great Brittain France & Ireland King, Defender of the Faith &c. — To our trusty & welbeloved Jonathan Belcher Esqr Greeting Know you that wee reposing Especial Trust & confidence in the Prudence Courage & Loyalty of you the Said Jonathan Belcher of our Especial Grace certain knowledge and meer motion Have thought fit to constitute and appoint and by these presents Do constitute and appoint you The Said Jonathan Belcher To be our Governor & Commander in Chief of our Province of New Hampshire within our Dominion of New England in America During our will and Pleasure and Wee do hereby Require & command you to do and Execute all things in due manner that shall belong unto Your said command and the trust wee have reposed in you according to the Several powers and Directions granted or appointed you by this present commission and the Instructions & authorities herewith given you or by Such Further Powers instructions and Authorities as shall at any time hereaft^{r} be granted or appointed you under our Signet and Sign Manual or by our order in our Privy Council and according to Such reasonable Laws and Statutes as are now in Force or hereafter shall be made and Agreed upon by you with the advice and consent of our council and the Assembly of our Said Province and Plantation under your Government in Such manner & Form as is hereafter Expressed And our will & Pleasure is that you the said Jonathan Belcher (after the Publication of these our Letters Patents) do in the first Place take the oaths appointed To be taken by an act passed in the first year of the Reign of our Late Royal Father King George the first Entituled (an act for the Farther Security of his Majestys person & Government and the Succession of the crown in the heirs of the Late Princes . . . . Sophia being Protestants and for Extinguishing the Hopes of the Pretended Prince of Wales and his open and Secret Abettors) As also that you make and Subscribe the Declaration mentioned in an act of Parliament made in

the twenty Fifth year of the Reign of King Charles the Second Entituled (An Act for preventing Dangers which may happen from Popish Recusants) and Likewise That you take the usual Oath for the due Execution of the office & trust of our Governor and commander in chief in and over our Said Province of New Hampshire as well with regard to the due and impartial administration of Justice as otherwise And further that you Take the Oath required to be taken by Governors of Plantations to do their utmost that the several Laws Relating to trade and the plantations be observed which Said Oaths & Declaration our Council in our Said Province or any three of the Members thereof have hereby full Power and Authority and are required To tender and administer unto you and in your absence unto our Lieutenant Governor if there be any upon the place. All which being duely performed you shall administer unto Each of the members of our Said council as also to our Lieutenant Governor (if there be any upon the Place) the Oaths appointed by the Said act Entituled (An Act for the Farther Security of his Majestys Person and Government and the Succession of the crown in the heirs of the Late Princess Sophia being Protestants and for Extinguishing The hopes of the Pretended Prince of Wales and his Open & Secret Abettors) as also to cause them to make & Subscribe the aforementioned declaration And to administer to them the Oath for the due Execution of their Places & trusts And wee do hereby give and grant unto you full Power & authority to Suspend any of the members of our Said council from Sitting Voting and Assisting therein if you Shall find Just Cause for So doing And if it shall at any time happen That by the Death Departure out of our Said Province Suspension of any of our Said Councellors or otherwise there shall be a Vacancy in our Said council (any three whereof wee do hereby appoint to be a Quorum) Our Will and Pleasure is that you Signify the same unto us by the first Opportunity That We may under our Signet & Sign Manual constitute & appoint others in their stead But that our affairs at that Distance May not Suffer for want of a due Number of Councellors if ever it shall happen that there be Less than Seven of them residing in our Said Province Wee do hereby give and grant unto you the said Jonathan Belcher full Power and Authority to choose as many Persons out of the Principal free holders Inhabitants thereof as will make up the full Number of our said Council to be Seven and no more, which Persons so chosen & appointed by you shall be to all intents & Purposes Councellors in our Said Province until Either they Shall be confirmed by us or that by the Nomination of others by us under our Sign Manual and Signet Our Said Council shall have Seven or more Persons in it And We do hereby give & grant unto you full Power

and Authority with the Advice and Consent of our Said Council from Time to time and as need shall require to Summon and Call General Assemblies of the Said Freeholders and Planters within your Governm^t^ in manner and Form according to ye Usage of our Province of New Hampshire And our Will and Pleasure is that the Persons thereupon duely Elected by the Major Part of the Freeholders of the Respective Counties and Places and So return'd shall before their Sitting Take the Oaths appointed to be Taken by the said Act Entituled (An Act for The Farther Security of his Majestys Person and Government and the Succession of the Crown in The heirs of the Late Princess Sophia being Protestants and for Extinguishing the hopes of the pretended Prince of Wales and his Open & Secret abettors) as also make and Subscribe the forementioned Declaration which Oaths & Declaration you shall Commissionate fit Persons under our Seal of New Hampshire to tender and administer unto them and until the Same be so taken and Subscribed no Person shall be Capable of Setting Though Elected. And We do hereby Declare that the Persons so Elected and qualified shall be called & Deemed the General Assembly of that our Said Province and Plantation and that you the said Jonathan Belcher with the Consent of our Said Council & Assembly or the Major part of them Respectively shall have full Power and Authority to make Constitute and ordain Laws Statutes and ordinances for the Publick Peace welfare and good Government of Our Said Province and of the People and inhabitants Thereof and Such others as Shall resort thereto and for the benefit of us our heirs and Successors Which Said Laws Statutes and ordinances are not to be repugnant but as near as may be Agreeable to the Laws and Statutes of This our Kingdom of Great Brittain Provided That all Such Statutes & ordinances of what nature and duration Soever be within three months or Sooner after the making Thereof transmitted unto us under our Publick Seal of New Hampshire for our Approbation or disallowance of the Same as also Duplicates thereof by the next Conveyance And in Case all or any of the Said laws Statutes and ordinances not before confirmed by us shall at any time be Disallowed and not approved and so Signified by us our heirs or Successors under our or their Sign Manual and Signet or by order of our or their Privy Council unto you the Said Jonathan Belcher or to the Commander in chief of our Said Province for the time being Then such and so many of the said Laws Statutes and ordinances as shall be so Disallowed & not approved shall from thenceforth Cease determine & become utterly void and of none Effect any thing to The Contrary thereof notwithstanding And To the End that nothing may be passed or Done by our said Council or Assembly to the Prejudice of us our heirs & Successors Wee will

and ordain That you the said Jonath[n] Belcher shall have and Enjoy a Negative voice in the making and passing of all Laws Statutes and ordinances as aforesaid and you shall and may Likewise from time To time as you shall Judge it Necessary Adjourn Prorogue and disolve all General assemblys as aforesaid And our Farther will and Pleasure is that you shall and may keep and use The public Seal of our Province of new Hampshire for Sealing all things Whatsoever that Pass the Great Seal of our Said Province under your government And Wee Do farther give and Grant unto you the said Jonathan Belcher full Power and Authority from time to time and at any time hereafter by your self or by any other To be Authorized by you in That behalf to administer and give the aforesaid Oaths appointed to be taken by the said act Entituled (An Act for the Security of his Majestys Person and Government and the Succession of the Crown in the heirs of the Late Princess Sophia being Protestants and for Extinguishing the Hopes of the Pretended Prince of Wales and his open & Secret Abettors) To all and every Such Person or persons as you shall Think Fit who shall at any time or times pass into our said Province or shall be resident or abiding there And we do by these Presents give & Grant unto you the said Jonathan Belcher full power and Authority with the Advice and Consent of our Said Council to Erect Constitute and Establish Such & So many Courts of Judicature and Public Justice within our said Province and Plantation as you and they shall think fit & necessary for the hearing and determining of all Causes as well criminal as Civil according To Law and Equity and for Awarding of Execution thereupon with all reasonable and necessary Powers authorities Fees and Priviledges belonging thereunto and also to appoint and Commissionate fit Persons in the Several parts of your Government to administer the Oaths appointed To be Taken by the afores[d] act Entitled (An Act for The further Security of his Majestys Person and Government and the Succession of the Crown in the heirs of the Late Princess Sophia Being Protestants and for Extinguishing the hopes of the Pretended Prince of Wales and his Open & Secret Abettors) as also to tender and Administer the Aforesaid Declaration unto such Persons belonging To the said Courts as shall be obliged to take the Same And we do hereby Authorize & impower you to Constitute and Appoint Judges and in cases Requisite Commissioners of Oyer & Terminer Justices of the Peace and other Necessary officers and Ministers in our Said Province for the better Administration of Justice and putting the Laws in Execution And To Administer or Cause to be Administred unto Them such Oath or Oaths as are usually given for The Due Execution & Performance of Offices and places And for the clearing of truth in Judicial Causes And Wee do hereby give and

Grant unto you full Power and Authority where you shall see Cause or shall Judge any offender or Offenders in Criminal matters or for any Fines or Forfeitures due unto us fit Objects of our Mercy To pardon all Such Offenders and to remit all such Fines and Forfeitures (Treason & wilful Murder only Excepted) In which Cases you shall Likewise have power upon Extraordinary Occasions To Grant reprieves to the offenders until and to the intent our Royal Pleasure may be known therein And Wee Do by these Presents Authorize and impower you to collate any Person or persons to any Churches Chappels or other Ecclesiastical Benifices within our said Province as often as any of them shall happen to be void. And Wee Do hereby give and grant unto you the Said Jonathan Belcher by your self or by your Captains and Commanders by you to be Authorized full power and Authority to Levy arm Muster Command & Employ all persons whatsoever residing within our Said Province and Plantation and as occasion Shall serve To March from one Place to another or to Embark them for the resisting and withstanding of all Enemies Pirates and Rebels both at Land and sea and to transport such Forces to any of our Plantations in America If Necessity shall require for the Defence of the Same Against the Invasion or attempts of any of our Enemies and Such Enemies Pirates and rebels (if there shall be occasion) to Pursue and Prosecute in or out of the Limits of our Said Province and Plantations or any of them and (if it shall Please God) them to vanquish apprehend and take and being taken According To Law to put to Death or keep & preserve alive at your Discretion and to Execute Martial Law in time of invasion or other times when by Law it may be Executed And to do and Execute all and every other thing and Things which to our Governor & Commander in Chief doth or ought of right to belong And Wee Do hereby Give and grant unto you full power and Authority by and with the Advice and Consent of our Said Council of New Hampshire to Erect raise and build in our said Province and Plantations Such and so many Forts & Platforms Castles Citys Boroughs Towns and Fortifications as you by the advice afores^{d} shall Judge necessary and the same or any of them to Fortifie and Furnish with Ordinance ammunition and all sorts of arms Fit and necessary for the Security and Defence of our Said Province And by the Advice afores^{d} the same Again or any of them to Demolish and dismantle as may be most Convenient And Forasmuch as Divers Mutinies and Disorders may happen by Persons Shipped and Employed at sea during the Time of war and to the End that such Persons as shall be shipped and Employed at Sea During the time of War may be the better Governed and ordered Wee do hereby Give and Grant unto you the Said Jonath^{n} Belcher our Governor and com-

mander in chief Full Power and Authority to Constitute and appoint Captains Lieutenants Masters of ships and other Commanders and Officers and to Grant to such Captains Lieutenants Masters of Ships and other Commanders and Officers Commissions To Execute the Law Martial according to the Directions of an Act Passed in the Thirteenth Year of the Reign of King Charles the Second Entituled An Act for the Establishing articles and Orders for the regulating & better Government of his Majestys Navys ships of war and Forces by Sea During the Time of War And to use such Proceedings Authorities Punishments Corrections Executions upon any Offender or offenders which shall be mutinous Seditious disorderly or any way unruly Either at sea during the time of their abode or Residence in any of the Ports Harbours or Bays of our said Province or Territories as the Cause shall be found to require According to Martial Law and the said Directions During the time of war as aforesaid Provided That Nothing herein Contained shall be Construed To the Enabling you or any by your Authority To hold Plea or have Jurisdiction of any offence Cause Matter or thing committed or Done upon The High sea or within any of the Havens Rivers or Creeks of our Said Province or Territories under your Government by any Captain Commander Lieutenant Master Officer Seaman Soldier or other Person Whatsoever who shall be in actual service or Pay in or on Board any of our ships of war or other Vessels acting by immediate Commission or Warrant from our Commissioners for Executing the Office of our high Admiral or from our High Admiral of Great Brittain for the Time Being under the Seal of our Admiralty But That such Captain Commander Lieutenant Master officer seaman Soldier or any oth^{r} Person so offending shall be Left to be proceeded against And tried as the Merrits of their offences shall require Either by Commission under our great seal of Great Brittain as the Statute of the Twenty Eighth of King Henry the Eighth Directs or by Commission from our Said commissioners for Executing the office of our High Admiral or From our high Admiral of Great Brittain for the time Being according to the fore mentioned Act Entituled An Act for the Establishing Articles and orders for the regulating and better Government of his Majesties Navies and ships of war and Forces by Sea and not otherwise Provided also That all Disorders and misdemeanours committed on shoar by any Captain Commander Lieutenant Master Officer Seaman Soldier or other Person Whatsoever belonging to any of our ships of War or other Vessels Acting by immediate Commission or Warrant from our said Commissioners for Executing the office of our High Admiral or from our High Admiral of Great Brittain for the Time Being under the seal of

our Admiralty may be tried and Punished a'cording To the Laws of the Place where any such Disorders Offences & Misdemeanours shall be so committed on shoar notwithstanding such offender be in our Actual Service and born in our Pay on Board such our ships of war or other Vessels Acting by immediate Commission or Warrant from our said Commissioners for Executing the Office of our high Admiral or from our High Admiral as aforesaid so as he shall not receive any Protection for the avoiding of Justice for such offences Committed on shoar from any Pretence of his Being imployed in our Service at sea And our Further will and Pleasure is That all Public Monies raised or to be raised within our said Province be issued out by warr[t] From you by and with the Advice and Consent of our Council and disposed of by you for the support of The Government and not otherwise And we do Hereby Likewise give and Grant unto you full Power and Authority by and with the Advice of our Said Council To agree with the inhabitants of our Said Province for such Lands Tenements and Hereditaments as now are or hereafter shall be in our Power to Dispose of And them to Grant to any Person or Persons for such Terms and under such Moderate Quit Rents services and Acknowledgments to be thereupon reserved unto us as you by and with the advice aforesaid shall think fit which said Grants are to pass and be Sealed by our Seal of New Hampsh[r] and being Entred upon record by Such Officer or Officers as you shall appoint thereunto shall be Good and Effectual in Law against Us our heirs and Successors And Wee do hereby give you Full power to order & appoint Fairs Marts and Markets within our said Province as you with the Advice of our said Council shall think fitt and to order and Appoint such and so many Ports Harbours Bays Havens and other Places for The Convenience & Security of shipping and for the Better Loading and Unloading of Goods and Merchandizes in such and so many Places as by you with the advice and consent of our said Council shall be Thought Fit and Convenient and in them or any of them To Erect nominate and appoint Custom Houses Warehouses and offices relating thereunto and them to alter change Place or Displace from time To time as with the advice aforesaid shall be thought fit And farther our Will and Pleasure is that you shall not at any Time hereafter by Colour of any Power or Authority granted or mentioned to be Granted take upon you to give grant or Dispose of any office or Place within our said province which now is or hereafter shall be granted under the Great Seal of Great Brittain any Further than that you may upon the vacancy of any such office or Suspension of any officer by you put in any Person to officiate in the interval until the said place be Disposed of by us or our heirs or Successors under the Great seal of Great Brittain or That

our Directions be otherwise Given Therein. And we Do hereby require and Command all officers and Ministers Civil and Military and all other Inhabitants of our said Province To be obedient Aiding and Assisting unto you the said Jonathan Belcher in the Execution of this our Commission and of the Powers and Authorities Herein contained and in Case of your Death or absence out of our said Province unto Such Person as shall be appointed by us to be our Lieutenant Governor or Commander in chief of our said Province To Whom Wee Do therefore by These Presents Give and Grant all and Singular the Powers and Authorities aforesaid to be Executed and Enjoyed by him During our Pleasure or until your return to our said Province And if upon your death or absence out of our said Province of New Hampshire there be no Person upon the place Commissionated or appointed by us to be our Lieutenant Governor or Commander in Chief of our said Province Our Will and Pleasure is that The Eldest Councellor whose name is first Placed in our said Instructions to you and who shall be at the time of your Death or Absence residing within our said Province shall take upon him the Administration of the Government and Execute our said Commission and Instructions and the Several Powers and Authorities therein Contained in the same manner and to all intents & Purposes as other our Governor and Commander in Chief should or ought to Do in Case of your absence until your return or in all Cases until our Farther Pleasure be known therein. In Witness whereof wee have Caused these our Letters To be Made Patents Witness our Self at Westminster the Eight and twentieth Day of January in the third Year of our Reign.

By writ of Privy Seal

Bisse and Bray.

True Copy.

Richd Waldron Cler: Cou.

[2-184] [*Tenth Instruction to Governor Belcher.*]

10—You are to Signify Our pleasure unto the Members of Our Said Council that if any of them Shall hereafter absent themselves from our Said Province and Continue absent above the Space of twelve months together without leave from you or from the Commander in Chief of the Said Province for the Time being, first obtained under your or his hand and seal; or Shall remain absent for the space of two years successively wthout our leave given them under our royal Signature their place or places in Our Said Council Shall immediately

thereupon become void, and that We will forthwith appoint others in their Stead —

Copy of the 10th Instruction from His Majesty to His Excellency Govr Belcher Taken from the original body of Instructions

℔ Richd Waldron Secry

[2-185] [*Nineteenth Instruction.*]

His Majtys 19th Instruction in respect to Paper money —

It is therefore his Majtys Will & Pleasure That you do not give your assent to, or Pass any Act in the Province of New Hampshire under your Government whereby bills of Credt may be Struck, or Issued in Lieu of money, without a Clause be Inserted in Such Act declaring that the Same Shall not take Effect until the sd Act Shall be approved & Confirmed by his Majty his heirs or Successors Except only for the Annual Support & Service of the Goverment Exceeding Six Thousand pounds in Such Paper bills & you are to take Especial Care that no more than Six thousand pounds of Such Bills be ever Current at one & the Same Time

— Copy —

[2-186] 22d *Instruction* —

Whereas Acts have been pass'd in some of Our Plantations in America for Striking bills of Credit and Issuing out the Same in Lieu of money in order to discharge their Publick Debts, and for other Purposes, from whence Several inconveniencys have arisen It is therefore Our Will and pleasure, that you do not give your Assent to or Pass any Act in our Province of New-Hampshire under your Government whereby Bills of Credit may be Struck or Issued in lieu of mony, without a Clause be inserted in Such Act declaring that the Same Shall not take Effect, until the Said Act shall be approved and Confirmed by us Our heirs or Successors, Except only for the annual Support and Service of Our Goverm[t] not Exceeding Six thousand pounds, In Such paper bills, and this Permission to continue onely until our further Pleasure Shall be known thereupon. And you are to take especial care that no more than Six thousand pounds of Such bills be ever Current at one and the Same time

True Copy ℔ Richd Waldron Secretary

[2–188] 23 *Instruction* —

And whereas we are Informed that Several Bills of Credit, are already Issued and Standing out upon the foot of certain Acts heretofore pass'd for that purpose, whereby particular funds are provided, for the calling in and Sinking them. You are hereby especially directed to take care, that the Said Bills be called in and Sunk according to the Periods and provisions of the respective Acts by which they were Issued

True Copy of His Majestys twenty third Instruction to His Excellency Govr Belcher Compared with the original

℔ Richd Waldron Cler. Cou

[2–190] *His Majesties* 24th *Instruction*

"You are allso to take care, that no private Act, whereby the property of private persons may be affected, be passed, in which there is not a Saveing, of the Right of His Majesty, his heirs & Successors, all bodies Pollitic & Corporate, and of all other persons Except Such as are mentioned in the Said Act, and those claiming by from & under them, And further you shall take care that no Such private Act be passed without a Clause, Suspending the Execution thereof, until the Same shall have received His Majestys Royall approbation, it is likewise His Majestys Will and Pleasure, that you do not give your assent to any private Act, until prooff be made before you in Council (& entered in the Council books) that public Notification was made of the partys intention to apply for Such Act, in the Several parish Churches where the premises in question lie: for three Sundays at least Successively, before any Such Act shall be brought into the assembly, and that a Certificate under your hand be transmitted with, & annexed to every Such private Act, Signifying that the Same has passed through all the forms abovementioned"

Examined

Theodore Atkinson Secy

The first Clause in His Majestys 14th Instructions —

"You are to observe in the passing of all laws, that the Style of enacting the Same be by the Governor, Council, & assembly"

Theodore Atkinson Secy

[2–192] 27th *Instruction*

And We do hereby particularly require and Enjoyn you upon pain of our highest displeasure to take care that fair books of accounts of all receipts and payments of all publick moneys be duely kept and the truth thereof attested upon oath; and that the said books be transmitted every half year or oftener to our Commissioners of our Treasury or to Our high Treasurer for the time being, and to Our Commissionrs for Trade and plantations, and Duplicates thereof by the next Conveyance in which books Shall be Specified every particular Sum rais'd or disposed of together with the names of the Persons to whom any payments Shall be made, to the end we may be satisfyed of the right & due application of the revenue of Our Said Province wth the Probability of the Increase or diminution of it under Every head or article thereof

True Copy

Richd Waldron Secry

[2–193] 29 *Instruction*

And our further Will and Pleasure is, That in Every Act which Shall be transmitted, the Several dates or respective times when the Same pass'd the Assembly The Council and received your Assent, be particularly Express'd and you are to be as Explicit as may be in your observations (To be sent to Our Commissioners for trade and plantations) upon every Act that is to Say, whether the Same is Introductive of a new law, declaratory of a former law, or does repeal a law then before in being — and you are likewise to Send to Our Said Commissionrs the reasons for the Passing of Such laws unless the same do fully appear in the Preamble of the Said Act

True Copy

Richd Waldron Secretary

[2–194] 30th *Instruction*

You are to require the Secretary of Our Said Province or his Deputy for the time being to furnish you wth Transcripts of all Such Acts and Publick orders as Shall be made from time to time together with a Copy of ye Journal of the Council, and that all such transcripts and Copys be fairly abstracted in the Margins to the end the same may be transmitted to us and to Our Commissioners for trade and

plantations as above directed which he is duely to perform upon pain of Incurring the forfeiture of his place

True Copy

Rich[d] Waldron Secretary

[2—195] 31 *Instruction*

And you are also to require from the Clerk of the Assembly or other proper officer Transcripts of all Journals and other Proceedings of the Said Assembly fairly abstracted in the Margin's To The end the Same may in like Manner be transmitted as aforesaid —

True Copy

Examin'd ℔ Rich[d] Waldron Secretary

[2-196]

G R 36 *Instruction To His Excell[cy] Gov[r] Belcher*

Loc Sig And whereas We are willing in the best manner to provide for the Support of y[e] Goverm[t] of our Said Province by Setting apart a sufficient allowance to Such as Shall be Our Governor L[t] Gov[r] Comand[r] In Chief or President of our Councill, residing for y[e] time being within the Same, Our Will and pleasure therefore is that when It shall happen that you Shall be absent from Our Said Provinces of the Mass[a] Bay and New-Hamp[r] of which We have appointed you Governor, Our full moiety of the Salary and of all perquisites and Emoluments whatsoever, which would otherwise become due unto you Shall during the time of your absence from our said Province be paid and Satisfyed unto Such Governor L[t] Gov[r] Comand[r] in Chief or President of Our Council who Shall be resident upon the place for y[e] time being which We do hereby order and allot unto them towards his maintenance and for the better Support of the dignity of that Our Goverment Provided nevertheless, and It is our intent and meaning that whenever you Shall think it necessary for our Service to go into Our Colony of Rhode-Island to view and regulate y[e] Militia whereof We have appointed you our Cap[n] Gen[l] & Comand[r] In Chief or whenever we Shall think fit to require you by our Especial order to repair to any other of our Goverm[ts] on y[e] Continent of America for our particular Service that then and in Such Case you Shall receive yo[r] full Salary perquisites & Emolum[ts] as if you were then Actually residing w[th]in our Province of y[e] Mass[a] Bay &

N-Hamp^{r} or Either of them, any thing in these our Instructions to ye Contrary in any wise notwithstanding

True Copy

R Waldron Sec^{ry}

[2–198] [*Forty-second Instruction.*]

42. And to prevent arbitrary removals of Judges & Justices of the peace you shall not express Any limitation of time in the Commissions which you are to grant with the advice & Consent of our Said Council to fit persons for those imployments Nor shall you execute yourself or by Deputy any of ye said offices nor suffer any ℔son to execute more offices than one by Deputy

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[2–199] 44 *Instruction* —

You are to Transmit unto Us and To Our Commissioners for Trade and Plantations, with all Convenient Speed a particular Account of all Establishm^{ts} of Jurisdictions Courts offices and officers Powers authoritys fees and Privileges granted or Settled within Our said Province together with a List of all the Officers employ'd therein, and an Account of all publick Charges relating to the said Courts, to the end you may receive Our further directions therein, and you are likewise to Transmit Exact and Authentic Copys of all proceedings in Such Causes where Appeals Shall be lodg'd before us in Our Council —

True Copy

Examin'd ℔ Richd Waldron Sec^{ry}

[2–200] 51 *Instruction* —

G R

Loc Sig And our Will and Pleasure is that appeals be permitted to be made in Cases of Errors from the Courts in our said Province of New-Hampshire, unto you and the Council there, and in your absence from our Said Province to Our Commander in Chief for the time being, and our Said Council in civil causes, wherein such of our said Council as shall be at that time Judges of the Court

from whence Such appeal shall be made to you our Governour and Council or to the Commander in Chief for the time being & Council as aforesaid, Shall not be admitted to Vote upon the Said Appeal; But they may nevertheless be Present at the hearing thereof, to give the reasons of the Judgment given by them in the Cause wherein Such Appeal Shall be made. — Provided nevertheless that in all Such appeals the Sum or Value appeal'd for exceed fifty pounds Sterling, and that security be first duely given by the Appellant to answer such Charges as shall be awarded in Case ye first Sentence be affirm'd

True Copy from the original Body of Instructions To His Excellency Govr Belcher Examin'd May 17 1732

℔ R Waldron Sec^ty^

[2–201] 52 *Instruction*

And if either part shall not rest satisfyed with the Judgment of you or the Commander in Chief for the time being and Council as aforesaid; Our Will and Pleasure is that they may then Appeal unto us in Our Privy Council; Provided the sum or value so appealed for unto Us do exceed Two hundred pounds sterling; and that such Appeal be made within fourteen days — after sentence; and that good security be given by the Appellant that he will effectually prosecute the same and answer the condemnation As also pay such costs and damages as shall be awarded by us in case the sentence of You or the Commander in Chief for the time being and Council be affirmed and it is our further will and Pleasure that in all cases where by Your Instructions you are to admit of appeals to Us in our Privy Council Execution be suspended until the final Determination of such appeals unless good and sufficient security be given by the Appellee to make ample restitution of all that the appellant shall have lost by means of such Judgment or Decree in Case upon the Determination of such Appeal such Judgment or Decree shall be reversed and restitution awarded to the Appellant

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[2–203] [*Fifty-sixth Instruction.*]

George R

Locus Sigilli

56. And whereas the Surveyors General of our Customs in the Plantations are impowered in Case of the Vacan^y^ of any of our Officers of the Customs, by Death Removal, Or otherwise to appoint other Persons to Execute Such offices, Untill They

Receive Further Directions from our Commissioners of our Treasury Or Our High Treasurer, or Commissioners of our Customs for the Time Being, but in Regard the Districts of the S^{d} Surveyors General are very Extensive, and that they are Requir'd att proper Times To visit the officers in the Several Governm^{ts} under their Inspection, and that it may Happen, that Some of our Officers of the Customs in the Province of New Hampshire, may Dye att the Time the Surveyor General is Absent in Some Distant Part of his District, So that he Cannot Receive Advice of Such Officers Death, within a Reasonable Time, and thereby make Provision for Carrying on the Service by Appointing Some other person in the Room of Such officer who may Happen to Die, Therefore that there may be no Delay Given on Such Occasion, To the Merchants in their Dispatches or Masters of Ships, It is Our Further will and Pleasure, in Case of Such Absence of ye Survey^{r} General, or if he should happen to Die, and in Such Cases only That upon the Death of any of our Collectors of Customs within that Province, You Shall make Choice of a Person of Known Loyalty, Experience, Dilligence, and Fidelity, to be Employd in Such Collectors Room For the Purposes Afors^{d} Untill The Surveyor General of our Customs Shall be Advised thereof, and Appoint Another to Succeed in Their Places, Or that Further Directions shall be given therein, By Our Commissioners of Our Treasury Or by Our High Treasurer, or by the Commissioners Of Our Customs For the Time Being which shall be first Signify'd, Taking Care that you Do not under Pretence of this Instruction, Interfere with the Powers and Authorities given by the Commissioners of our Customs to The Said Surveyor General, when he is able to Put The Same in Execution —

A True Copy taken from the body of the Kings instructions to Jona Belcher Esqr Governour of New Hampshire —

July 12: 1731 — J Belcher

[2–204] 73 *Instruction*

You shall take an Inventory of all Such Arms ammunition and Stores as are remaining in any of our Magazines or Garrisons in our Said Province of New Hampshire, and transmit the Same to Us, and To Our Comissioners for trade and Plantations, with all Convenient Speed and the like Inventory afterwards half yearly, and also a Duplicate thereof to Our Master General or Principal officers of our Ordinance which Accounts are to Express the Particulars of Ordinance Carriages balls powder and all other Sorts of Arms and ammunition in our Public Stores at your Said arrival and so, from time

to time, of what Shall be sent to you or bought with the public mony, and to Specify the time of disposal and the occasion thereof

True Copy
Examin'd ℔ Rich[d] Waldron Secretary

[3-1] [*Proclamation concerning the King's Woods*, 1730.]

[Copied from the Original.]

By His Excellency Jonathan Belcher Esq[r] Captain General & Governour in Chief in and over His Maj'ties Province of New Hampshire in New England —

A Proclamation to prevent the Destruction or Spoil of His Majesties Woods. —

Forasmuch as the Preservation of His Majesties Woods within this and the neighbouring Provinces is highly necessary for furnishing the Royal Navy, and divers Acts of Parliament have been accordingly from time to time made & pass'd for that end; notwithstanding which and the care of this Governm[t] to prevent & punish the Destruction and spoil of His Majesties Woods, many evil minded Persons have broke thro' the restraints of the Law in that behalf; and have for their own private gain made great wast of such trees as might be fit for His Majesties service But Inasmuch as it may be presumed that some Persons have Trespassed on His Majesties Woods thro Ignorance, and not being duly apprized of the Laws in that case made & provided; and more especially of two Acts of Parliament, the one made in the eighth year of the Reign of His late Majesty King George the first; and the other in the second year of His present Majesty's reign; In the first of which entitled an act giving further encouragem[t] for the Importation of Naval Stores, and for other purposes therein mentioned It is Enacted "That from and after the Twenty first day of September one thousand seven hundred & twenty two, no Person or Persons within the Colonys or plantations of Nova Scotia, New Hampshire, the Massachusetts Bay & Province of Mayne, Rhode Island, & Providence Plantations, the Narraganset Countrey, or Kings province, and Connecticut in New England & New York & New Jersey in America, or within any of them do or shall presume to cut, fell or destroy any white pine trees, not growing within any Township or the bounds, lines, or limits thereof in any of the s[d] Colonies or plantations without His Majesties Royal Lycense

for so doing, first had & obtained; on pain that every Person so cutting felling and destroying such pine Trees, or who shall be aiding and assisting therein, or in drawing away such pine trees after the same shall have bin cut, felled or destroyed, shall for every such offence forfeit and pay the severall and respective sums following that is to say, For every white pine Tree of the growth of twelve inches Diameter, & under, at three feet from the Earth, the sum of five pounds, for every such tree from twelve inches, to eighteen inches diameter the sum of Ten pounds, for every such tree from eighteen inches to four and twenty inches diameter the sum of twenty pounds, and for every such tree from four & twenty inches diameter & upwards the sum of fifty pounds; which several penalties & forfeitures shall & may be sued for within six months after the offence committed by plaint or Information upon the oath of one, or more credible Witness or Witnesses before the Judge of the Admiralty or his Deputy, within the Colony or plantation where such pine tree shall be cut, felled or destroyed, one moyety of such penalties & forfeitures to be to His Majesty, his heirs & successors; the other moyety to the Informer, who shall sue for the same; and in case any Dispute shall arise whether such tree, when cut, felled or destroyed was growing within any Township, or the bounds, lines or limits thereof as aforesaid the proof shall lye upon the owner; and on Conviction of such offender for such offence as aforesaid if he shall refuse or neglect to pay the penalty & forfeiture thereby Incurred by the space of twenty days after such conviction; That then such Judge or his Deputy shall & may by Warrant under his hand & seal, cause the same to be levied by distress and sale of the Goods of the offender, rendering the overpluss (if any be) to the owner; and when no sufficient distress can be found such Judge or Deputy shall commit the offenders to Prison within the Colony or Plantation where such offence shall be committed, there to remain without Bail or Mainprize during such time as such Judge or Deputy shall appoint, not exceeding twelve months, nor less than three months; or until such offender shall pay the penalty or sum of money so recovered and after such payment made shall likewise find sufficient security for his good behaviour during the space of three years, to be accounted from the time of such Conviction; and it is hereby Declared, That all white pine trees Masts or Loggs made from such trees, which from and after the s^{d} one & twentyeth day of September one thousand seven hundred and twenty two, shall be found cut or felled without such Lycense as afores^{d} in any of His Majesties sd Colonies or plantations shall be forfeited and seized for the use of His Majesty, His Heirs and Successors, any former Law, usage or custom to the Contrary notwithstanding" —

And in the other act of Parliament, which was pass'd in the second year of His present Majesties Reign Entitled an act for the better preservation of His Majesties Woods in America, and for the Encouragement of the Importation of Naval Stores from thence & to Encourage the Importation of Masts Yards & Bowsprits from that part of Great Britain called Scotland, among other things are contained the following paragraphs viz —

"Whereas by an act pass'd in the eighth year of His late Majesties Reign Entitled an act, giving further Encouragement for the Importation of Naval Stores, and for other purposes therein mentioned It is Enacted, That no Person or Persons whatsoever, within any of His Majesties Colonies [Then follows a repetition of a portion of the foregoing.]

And whereas since the passing the said act, great Tracts of Land, where trees fit for masting grow, have been, in order to evade the provisions of the s^{d} act erected into Townships; now for the better preservation of white pine trees in his Majesties s^{d} Colonies for masting His Royal Navy

Be it Enacted by the Kings Most Excellent Majesty, by and with the advice & consent of the Lords Spiritual & Temporal & Commons, in this present Parliament assembled & by the authority of the same; That from & after the twenty ninth day of September next, no Person or persons within the sd Colonies of [Same as the foregoing] or within any of them, or in any other Province or Country in America, that now belongs, or hereafter shall belong to the Crown of Great Britain, do or shall presume to cut, fell or destroy any white pine trees, except only such as are the property of private persons; notwithstanding the sd trees do grow within the limits of any Township laid out, or to be laid out hereafter in any of the said Colonies or plantations — without His Majesties Royal Lycense for so doing first had and obtained, — And whereas their late Majestys King William & Queen Mary for the better providing & furnishing Masts for the Royal Navy, in and by their Charter dated at Westminster the seventh day of October in the third year of their Reign Granted to the Province of the Massachusetts Bay in New England in America, Did reserve to themselves their heirs & successors all Trees of the Diameter of twenty four inches & upwards at twelve inches from the ground growing upon any soil or Tract of Land within the sd Province or Territory, not then before granted to any private Person: In order therefore to make the sd Reservation more effectual Be it further Enacted by the Authority aforesd That no Person or Persons whatsoever within the sd Province of the Massachusetts Bay or New England do or shall presume to cut or destroy any white pine trees of the Diameter of twenty four inches, or upwards at twelve inches from

the ground, not growing within some soil or Tract of Land within the sd Province granted to some private person or Persons before the seventh day of October which was in the year 1690 without His Majesties Lycense first had and obtained; And every Person so cutting felling or destroying such white pine trees, not being the property of private Persons in any of the Colonies abovementioned, and likewise every Person cutting or destroying any white pine trees of the Diameter of twenty four inches & upward at twelve inches from the Ground, growing on any Tract of Land in the Province of New England or Massachusetts Bay not granted to some private person or persons before the seventh day of October 1690; or who shall be aiding or assisting therein, or in drawing away the sd pine trees after the same shall have bin so cut or felled, shall be subject to such and like forfeitures, & penalties respectively, as are provided in the aforesd act of the eighth year of His late Majesties Reign for & against such Persons as fell cut or destroy any pine trees, not being or growing in any Townships within any of the sd plantations; the sd forfeitures to be Recovered and applied in the same manner, as in the sd act is particularly set forth and Enacted" —

I have thought fit by the advice of His Majesties Council of the said Province, to Publish the paragraphs of the Acts of Parliament above recited which Concern His Majesties Subjects in this Province hereby requiring them strictly to conform themselves to the sd Acts of Parliament, and to observe the several restrictions and Injunctions contained therein; and forbidding all Persons whatsoever, upon pain of incurring the penalties therein provided, to cut fell destroy or carry away any trees whatsoever that are in the afore recited Statutes, or otherwise by Law reserved for His Majesties use — And all Justices of the Peace, Sheriffs, Constables, and other officers are hereby Commanded, as they tender their duty to His Majesty to see to the due Execution of the sd Laws according to the Duty of their respective offices as also to be aiding and assisting to the Surveyor General of His Majesties Woods, or to His Deputy or Deputies in the said office for the seizing and securing all such trees as shall be cut contrary to Law, and for the apprehending and prosecuting such persons, as shall presume to Transgress the said Acts of Parliament, and all other acts referring to the preservation of His Majesties Woods.

Dated this thirtieth day of October 1730 In the fourth year of the Reign of our Sovereign Lord George the Second by the Grace of God of Great Britain France & Ireland King Defender of the Faith &c. J. Belcher —

By His Excellencys Command with the advice of the Council.

Rich[d] Waldron Cler. Cou.

God Save the King —

[3–2] [*Memorial from Deacons of Boston Churches*, 1730.]

To his Excellency Jonathan Belcher Esqr Captain General and Governor in Cheif in and over His Majestys Province of New Hampshire in New England — The Honble His Majestys Council and the Honble House of Representatives of the said Province In General Court assembled Novemb^{r} 19: — 1730 —

The Memorial of the Deacons of the severall Churches within the Town of Boston in the Massachusetts Province —

In most humble wise Sheweth — That your Memorialists have for some time past received in their respective Church Boxes the free contribution of the People a number of torn and broken Bills of Credit on the province of New Hampshire and no Person being here appointed by your Excellency and Honours for the exchanging thereof so that the respective Churches in Boston labour under great inconvenience for want of the improvement of the said Bills And as the want of a person for the exchange of such torn and useless Bills dos discourage and in some measure impead the support of the Gospell among us And has a tendency to lessen the credit of the said Bills on the said Province of New Hampshire —

And your memorialists therefore most humbly pray your Excellency and Honours would be pleased to take the premises into your serious consideration and pursue such measures for our Relief therein as in your great wisdom and Justice you shall see meet. — And your memo^{ts} as in Duty bound shall ever pray &c —

Jon^{a} Williams } Deacons on behalf & at the Desire of all other the
Danl Henchman } Deacons of the respective Churches in Boston —

[In General Assembly, November 26, 1730, "Read and laid aside." — Ed.]

[3–3] [*Petition from Military Officers*, 1730.]

To his Excellency Jonathan Belcher Esqr Governour and Commander in Cheif in and over his Majesties Province of New Hamp^{r} to the Honourable the Councill and Representatives in gen^{l} Assembly convened — The Petition of sundry the Military officers in the Province of New Hamp^{r} Humbly Sheweth — That by one Act of this his Majesties Province of New Hamp^{r} entitled an act for the Regulating of the Militia the Preamble of which runs in the following

words, vizt. Whereas for the Honour and service of his Majesty and for the service of this his Province against any violence or Invasion whatever, it is necessary that due care be taken that the Inhabitants thereof be armed trained and in a sutable posture and readiness for the ends afores^{d}: and that every person may know his duty and be obliged to perform the same — It is hereby enacted, That all male persons from sixteen years of age to sixty shall bear arms and duly attend all military exercises and musters of the Troops and Companies where they are listed and belong — and by the afores^{d} Act there is a Penalty of Five Shillings and no more laid upon such as are delinquents of their duty according to that Law, which sum is by experience found not to be sufficient to answer the end, since the value of money is so very much depreciated and the good design of the Law is frustrated which evil, your Petitioners apprehend might be remedied by increasing of the fine upon delinquents.

Your Petitioners therefore humbly pray that your Excellency and the Honourable assembly will please to pass an Act for the increasing of the fine upon such Delinquents, to such a sum as in your wisdome you shall think fit — and your Petitioners shall ever pray as in duty bound &c.

21, November, 1730.

Co^{l} Peter Weare	Maj^{r} Jos: Sherburn
Capt Step^{n} Greenleaf	Capt Nathl Mendum
Capt Joseph Tilton	Capt Jona^{an} Marston
Capt Benj. Pearkins	Capt Saml Banfell

Jona Sanborn

[3–4] [*David Dunbar to a Deputy Surveyor*, 1730.]

Fredericks fort Novr 25th 1730

Sr Upon ye Recommendation of Govr Wentworth I last year gave you a deputation to take care of ye woodes Since which Mr Waldo has complained of me in Enland for giving so great a liberty to ye country people for Logging. That ye undertakers for ye mast Contracts had much Difficulty in getting trees fitt for ye Kings service. Whereupon I have recd an order to recall ye Liberty I then gave & not to suffer any trees to be cut for the future but such as grow upon Antient private property. I have upon receipt of y^{t} order published ye advertizment which I send you hear inclosed and which I suppose you had before from Mr Slade from Piscatua what makes

me send these again is y^t^ I hear that you and Mr Parker have lately Licensed people to cut trees as last year which is not now in my power to do and your License will not save em upon Tryall. Therefore I desire you will give em Notice of y^r^ mistake and recall y^r^ License And I do hereby order and direct you and Mr Parker whom I deputed att North Yarmouth to seize and mark all loggs and boards at any mills without any exception & keep an acc^t^ thereof y^t^ ye owners of such mills may prove such to have been cutt upon private proprietys which was so before 7th October 1690 —

If Mr Slade is in y^r^ Neighborhood pray give him this and keep a coppy of it and give another to Mr Parker and desire him to examine at Mr Wyers Mill at North Yarmouth if ye 20 Loggs remains there which wear seized by my Brother and condemned at a court of Admiralty at Boston in Summer last I intend in a fortnight or 3 weeks to call at Casco and at ye Mills & see you and Mr Parker can do his Majesty any service I shall continue y^r^ Deputations and reward you for it —

I am S^r^ your most Humble Ser^t^

David Dunbar

A true coppy of Coll. Dunbars Letter to one of his Surveyors ℔ Thos Jouxson

[See Vol. IV., p. 599, etc. — Ed.]

[3–6]

[*Governor Belcher's Orders to Examine and Report the Condition of the Fort*, 1730. *From the Original.*]

Jonathan Belcher Esqr Governor and Commander In Chief In and over His Majestys Prov. of New Hamp^r^ In New England, To John Wentworth Esqr Lieu^t^ Govr of the said Province and Richd Wibird Esqr John Frost Esqr and Theo^re^ Atkinson Esqr — You are hereby required with all convenient dispatch to repair to William and Mary Fort at New Castle, and to examine into the state and Circumstances of the said Garrison, & report to me what additions and repairs are necessary for the Honor and Service of His Majesty, and the benefit and advantage of the Province. You are alike required to make a particular inquiry into the stores of the said Garrison and report to me what guns powder and all other stores of war are now belonging & appertaining to the said Fort ; and let me have your report within thirty days from the date hereof without fail — Given under my hand

at Portsmouth, the second day of December, in the fourth year of His Majestys Reign Annoq. Domini 1730 —

J. Belcher

[The committee reported as follows. — Ed.]

[3–7]

An Account of the Stores of Fort William and Mary, taken by order of His Excellency Jon[a] Belcher Esq[r] Governour and Commander in Chief of His Majesty's Province of New Hampshire, this 17[th] Day of December 1730 — Viz.

26 Small Arms 1 New Flag
1 Broad Pendent 1 Old Drum 1 Rim
20 Demi-Canon 8 Sakers 12 Field Pieces
2 Minion 1 Whole Bbl powd[r] 1 Half Ditto
1 Half Ditto almost full 2 Ream & 8 quire of Brown paper
16 Quire of Cartridge Ditto 24 Crab Hand-Spikes
2 Ditto Broken 43 Leaden Aprons
8 Large Iron Crows 22 Coper Ladles 11 Worms
230 4[lb] Shot 28 Rammers and Spunges
763 Demi-Canon Shot 266 Culverin Ditto
1 Loggerhead 3 Chests containing 18 Boxes of Patridge Shot
13 Boxes and Some loose Shot 970[lb] of Iron
40[lb] Match 84[lb] Sheet Lead 22[lb] Leather
1 Butch Barrel Some old broken Lanthorns
1 Large Pitch pot 1 Boat and Anchor 1 Pick Axe
43 Cartridge Boxes 3 Priming Horns Some priming Wire —

N : Castle December 17[th] 1730 —

Received of the Committee the above written Stores for which I am accountable.

℔ me Sha[d] : Walton

[3–8]

[*Anthony Reynolds Appointed Collector of Customs at Piscataqua*, 1731.]

Seal

To all People to whome These presents shall Come. We the Commissioners for managing and Causing to be levyed and Collected His Majestys Custom subsidies and other Dutys in that Part of Great Britain called England send Greeting; *Know Yee* That we the said Commissioners have by virtue of an act of Parliament made in the twenty fifth year of the

reign of King Charles the second Entituled an act for the Encouragement of the Eastland and Greenland Trades, and for better securing the Plantation Trade; and in Pursuance of the authority aud directions to us given by the Right Honble The Lords Commissioners of His Majestys Treasury Deputed and impowered; and do hereby Depute and impower Anthony Reynolds Esq to be Collector and Surveyor of all the rates and Dutys & impositions arising and Growing due to His Majesty at Piscataqua in N. Hamp^r and the Dependencies thereon In America by virtue of the said act whereby he hath power to enter into any ship bottom boat or other vessel; as also into any Shop House Warehouse Hostery [?] or other place whatsoever to make diligent search into any Trunk Chest Pack Case Truss or any other parcel or package whatsoever for any goods wares or Merchandize prohibited to be imported or exported or whereof the Customs or other Dutys have not been duly paid, and the same to seize to his Majestys use, and also to put in Execution all other the lawfull powers and authoritys for the better managing or collecting the said Dutys in all things Proceeding as the law directs, *hereby* Praying and requiring all and every His Majestys officers and Ministers and all others whom it may concern to be aiding and assisting to him in all things as becometh. Given under our hands & seal at the Custome House London ye 31st day of March in ye 4th year of the reign of our Sovereign Lord King George 2^d Annoq Domini 1731 —

B. Fairfax J. Evelyn
Charles Peers John Hill

Registered in ye Secretarys Novr 15: 1731.

℔ R. Waldron Sec^ry

These may Certify whom it may Concern, that on the fifteenth day of the present month Anthony Reynolds Esq at Portsm^o within His Maj^tys Province of N. Hamp^r was sworn into ye office of His Maj^tys Collector of & for the s^d Province and ye dependencys thereon, as witness my hand ye nineteenth day of Novr 1731 in ye fifth year of His Maj^ts reign Richd Waldron Sec^ry

Copy of Certificate sent ye Govr ye day of ye date

[3-9] [*Petition from the Quakers*, 1731.]

Dover the 26th of ye 2^d mo: 1731 —

To Jonathan Belcher Esqr Govener and Commander in Chief (under God) in and over ye provinces of ye Massachusetts Bay and New-

hampshair in Newengland and to ye Councel and house of Representatives in Newhampshair afores^d^ —

Whereas we ye people Comonly Called Quakers did in ye 2^d^ mo. 1729 offer a petition to ye Govener humbley Requesting that we might not be imposed upon when we are Chosen Counstables to gather the taxes or assesments that are from time to time assesed upon the inhabitants for ye support of ye prisbetrain minestry and did not mention the Councel and house of Representatives in s^d^ petition for which Reason ye Genl Court would not act thereon — We do therefore humbly Crave that you would be pleased to consider of this matter for altho we are exempted in ye Law from paying any part or proportion of such taxes or assesments yet nevertheless we are Required when we are Chosen Counstables to Leve and Collect ye same of others which is contrary to our principles to pay such taxes neither can we gather ye same of others: whereupon we have been and are Likely to be under great sufferings notwithstanding we Refuse not neither do we desire to be excused from serving Counstables in any other part of the office whatsever — we desire that you would be pleased to pass an act by which we may be Released from being Compeled or Required to do that which is Contrary to our principles Relating to ye matter above mentioned which is the humble Request of your friends Comonly Called Quakers

Signed on behalf and by order of ye Society aforementioned —

Peter Varney John Canne

In Counc^l^ May 3^d^ 1731 — The above Petition read and Voted, That in any Town w^th^in this Province where a Quaker shall be chosen a Constable another Person (not of that Denomination) shall be chosen a Collector of the Ministers Salary and that the Petitioners have leave to bring in a bill accordingly

Sent down for Concurrence — Richd Waldron Secretary

In the house of Representatives May ye 4th 1731 P. M. the above vote Read and Concurred with this amendment — Viz^t^ that another ℔son be chose Constable instead of Collector

James Jeffrey Cler. Ass^m^

In Coun^l^ May 5th 1731. Read and Concurred with the amendm^t^ —

Richd Waldron Secretary

May 5th 1731 I assent to the votes on the other side

J. Belcher

[The act is printed in Vol. IV., p. 597. — Ed.]

[3–11] [*Expenses of Committee on Boundary Line*, 1731.]

Province of New Hamp^{r} to the Comittee that went to Newbury on the affair of the Lines D^{r}

To Sundry Expences pd at Collings	£0.	3.	0
To Sundry Expences pd at Greenlieffs & ferriage	5.	19.	4
To Sundry Expences pd at Graves's	—	16.	6
To Cash p^{d} at Colling on return	1.	5.	—
To horse hire p^{d} Mr Benj^{a} Rust for a Servant	—	15.	—
To Cash pd By Henry Sherburn Esq at Collings's	—	16.	—
To Coll Shurburne four Days at 10/	2.	—	—
To Richd Waldron Esq Do	2.	—	—
To Benjn Gambling Do	2.	—	—
To Nathl Wear Esq Do	2.	—	—
To Theod^{r} Atkinson Esq Do	2.	—	—
To 2 Horses for 2 Servants	1.	10.	—
Errors Excepted	£21.	5.	10

℔ Theodore Atkinson
May 13th 1731. in behalf of s^{d} Committee

[3–12]

[Commission from Governor Belcher to Richard Wibird, dated July 12, 1731, to be collector of customs at Portsmouth until further orders. — Ed.]

[3–13] [*Richard Wibird's Commission, August*, 1731.]

Prov : of N. Hamp : } By his Excellency Jonathan Belcher Esqr Governor and Commander in Chief in & over his Majestys Province of New Hampshire aforesaid —

To Richd Wibird Esqr Greeting — Pursuant to ye power & authority in and by his Majestys Royal instructions to me granted that in case of ye death or absence of ye Surveyor Generall of his Majestys Customs within this District, & the death of any Collector of ye said Customs within this Province I should make choice of any person of known loyalty experience diligence & fidelity to be employed in the room of such deceased Collector untill ye Surveyor Generall of his Majestys Customs shall be advised thereof and appoint another to succeed in his place or that further directions shall be given therein by ye Right Honorable the Commissioners of his Majestys Treasury

or high Treasurer or by the honorable the Commissioners of his Majestys Customs for the time being.

I do hereby nominate constitute & appoint you ye said Richd Wibird to be Collector & Searcher within the Province of New Hampshire afore said the late Province of Main (now County of York) and Port of Newbery & any of ye Creeks and Havens thereto belonging & by virtue of these presents you are to collect all the rates dutys & impositions arising & growing due to his Majesty within this destrict aforesaid untill further order & you have hereby power to enter into any ships bottom boat or other vessel as allso into any shop house warehouse hostery or other place whatsoever, to make diligent search into any chest pack case truss or any other parcell or package whatsoever for aney goods wares or Merchandize prohibited to be imported or exported or whereof ye Customs or other dutys have not been duly paid & ye same to seize for his Majestys use allso to put in execution all other lawfull powers and authoritys for ye better managing or Collecting ye said dutys & I do hereby authorize & empower you ye said Richd Wibird to be ye receiver of Greenwich Hospitall money directing that you demand and receive according to ye act of Parliament in that case made and provided and that you account for and pay ye same pursuant to ye said act & further I do hereby authorize & impower you to make a Deputy or Deputys as occation may require the person or persons whom you shall appoint Deputy being a man or men of loyalty experience diligence & fidelity & for whom you shall be answerable and whosoever you shall so depute shall have full power to exercise all ye powers & authoritys contained in this Commission to you. And you are to proceed in all things as ye law directs and all his Majestys officers & all others whome it may concerne are hereby required to be aiding & assisting to you in all things as becometh — Given under my hand and seal ye fourth day of August Anno Domini 1731 Annoq: R^ni^ R^is^ Georgis Secundi quinto.

J. Belcher

[3–14]

[Richard Wibird's bond in five hundred pounds sterling, for the faithful performance of his duty in the office of collector. Signed by Jotham Odiorne as surety, and witnessed by Eleazer Russell and R. Wibird, Jr. — Ed.]

[3–15]

[Copy of commission to Ellis Huske to be naval officer for the same territory as is embraced in the foregoing commission to Mr. Wibird. Dated August 4, 1731. — Ed.]

[3-15] [*Letter from Secretary Waldron to Secretary Willard.*]

Sir — I am Commanded by His Excellency wth the advice of the Board to send you the inclosed Copy of a Vote of our General Assembly Pass'd this day — It is desired that the same may be immediately on the receipt of it laid before His Hon^r^ the Lt Govr and Council of your Province, and that we may know by tuesday noon or night (by an Express) whether the Mass^a^ Committee will meet ours at ye time and place in the vote mentioned.

I am Sir your most obed^t^ humble Servt

Richd Waldron

Mr Sec'y Willard Portsm^o^ 7^br^ 24: 1731.

[See Vol. IV., pp. 608–615. — Ed.]

[3-16]

[*Manuscript Document Endorsed "The Governor's Coming into ye Province — printed Sept.* 14: 1731."]

Province of New Hampshire Sep^t^ 14: 1731.

This day came hither His Excellency Our Governor whose arrival amongst us had been for some weeks very much wished for: His entrance was attended with all possible demonstrations of joy & satisfaction being met on the Borders, & ushered into the Province by seventy horse besides the blew troops (& exclusive of the Gentlemen, who waited on him, from his other Goverment) which was a handsome appearance for so poor & little a Province, the like whereof has hardly ever been seen here wch loudly speaks the affection of the People, and the heartiness of his Excellency's welcome to this Goverm^t^

The evening preceeding his Excellencys arrival His Hon^r^ O^r^ Lt Govr departed ye prov., his motion was sudden, he imbark'd on board a fishing schooner, Turned out of ye river, & is generally supposed to be gone to Pemaquid —

[A feud existed between Governor Belcher and Lieutenant-Governor Dunbar, which may account for the departure of the latter from the Province on the eve of the arrival of the Governor. See Vol. IV., p. 599. — Ed.]

[3–19] [*King's Instructions to Governor Belcher*, 1732.]

In Loc : Sig George R Additional Instruction to our Trusty and welbeloved Jonathan Belcher Esq Our Governour and Commander in Chief in and over Our Province of New Hampshire in New England in America or to the Commander in Chief of Our Said Province for the time being. — Given at Our Court at St James's the 5th day of May 1732 in the fifth year of Our Reign —

Whereas Complaint hath been made unto Us, by the Merchants of Our City of London, in behalf of themselves, and of Several others of our Good subjects of Great Britain trading to our Plantations in America, that greater dutys and impositions are laid on their Ships and goods than on the Ships and goods of Persons who are Natives and inhabitants of the Said Plantations It is therefore Our Will and Pleasure That you do not upon any pretence whatsoever on pain of Our highest displeasure give your assent For the future, to any law wherein the Natives or inhabitants of the Province of New Hampshire under your Government, are put on a more advantageous footing than those of this Kingdom It is further Our Will and Pleasure that you do pay due Obedience to the Instructions already given you, whereby you are expressly forbid to pass any Law by which the Trade or Navigation of this Kingdom may be any ways affected, hereby declaring it to be our Royal Intention that no duties shall be laid in the Province of New Hampshire under your Government, upon British Shipping or upon the product or manufactures of Great Britain upon any pretence whatsoever

G R

True Copy ℘ R Waldron Sec^{ry}

[3–20] [*Benjamin Gambling's Mandamus*, 1732.]

George R. Trusty and wellbeloved we greet you well. Whereas it has been humbly Represented unto us by our Commissioners for Trade and Plantations, that there were four vacancies in our Councel of our Province of New Hampshire in America, occasioned by the death of John Wentworth, Mark Hunkins Archibald MacPhedris and Samuel Penhallow Esq^{s} and at the same time proposed that our Trusty and wellbeloved Benjamin Gamblin Esq might be appointed to supply one of the said vacancies, he haveing been recommended to them as a Person every way qualified for that trust

which Representation being laid before us in Council we have thought fit to approve thereof; Our will and Pleasure therefore is, that forthwith upon Receipt hereof you swear and admit him the said Benjamin Gamblin (of whose Loyalty, Integrity and ability we are well satisfyed) to be one of our Council of our said province of New Hampshire in the room and place of any one of the four persons above named, and for so doing this shall be your warrant and so we bid you farewell — Given at our Court at St James's the Fourth day of Aprill 1732 in the fifth year of our reign —

By His Majesty's Command —

Holles New Castle

July 31 1732 Benj^{a} Gambling Esqr Sworn & admitted a Councill^{r} and this Copy taken from the original mandamus

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[3–21] [*Proceedings in Council, May*, 1732.]

Portsm^{o} in New Hampshire May ult. 1732.

This day His Maj^{tys} Council being convened Pursuant to His Excell^{cys} ord^{r} to ye president at the House of B. Gambling Esqr in this Town (who is not capable of going to the Council House by reason of bodily Indisposition) His Majestys Royal Mandamus under his Majestys signet & sign manual bearing date at St James's ye 4 day of April last To His Excellency the Govr for admitting Richd Waldron Esq & the said Benj^{a} Gambling Esq to be of His Maj^{tys} Council within the s^{d} Province was opened & read in the s^{d} Council whereupon the said Waldron & Gambling being readmitted and confirmed members thereof pursuant to a form^{r} Instrum^{t} Took ye proper oaths & resumed their places.

Those Gentlemen were of ye Board before at y^{t} time by ye immediate appointm^{t} of His Excellency (Pursuant to a former Instruction) to make up the number of Councellors seven.

[The foregoing is in Secretary Waldron's hand. Only a small portion of the Council records from 1722 to 1742 were found by the editor of Vol. IV., consequently all authentic scraps containing minutes of Council proceedings between those dates, that are now being found, will be printed in this volume. — Ed.]

[3–22] [*Theodore Atkinson's Account of Powder Money.*]

An Acco^{t} of Powder money reced By Theodore Atkinson according to an act of the Generall Assembly In May 1727 —

1727 —	To Cash p^{d} Mr Ben^{g} Wentworth for Powder .	£60.	—	—
	To do p^{d} Treasurer Jaffrey for do. . .	40.	10.	—
	To do p^{d} Saml Stevens for one bb^{l} Powder .	21.	—	—
	To do p^{d} Leiu^{t} Govr Wentworth . . .	65.	—	—
	To do p^{d} Joseph Jackson	17.	10	—
	To do p^{d} Gillbert Macphedris Twice . .	14.	—	—
	To do p^{d} Willm Wentworth	30.	—	—
	To 230^{lb} powder del^{d} the Gunner by Coll Sherburne being for Capt Burrows .	34.	10.	—
	To Cash p^{d} Coll Walton	10.	16.	—
	To Comissions @ 5 ℔ c^{t} on £278. 19. — .	13.	18.	11½
		£307.	04.	11½

By John Parsons .	£10.	—	By Wm Tuck . .	4.	19.	—
By John Ober . .	4.	9.	By John Breed .	5.	5.	—
By John Rigs . .	6.	0.	By Zac^{s} Stone . .	6.	18.	—
By Nich^{o} Groves .	5.	9.	By John Stevens .	5.	11.	—
By Mich^{l} Bowdin .	7.	—	By Hugh Woodbury .	4.	10.	—
By Joseph Breed .	7.	4.	By Solomon Davis .	7.	10.	—
By George Giddings	5.	8.	By John Wharff .	7.	13.	—
By George Tuck .	7.	—	By Ralph Ellenwood .	9.	—	—
By Israel Ober .	6.	—	By John Gage . .	7.	10.	—
By Saml Stevens .	10.	—	By Dependence Ellery	7.	13.	—
By Robt Stone .	7.	10.	By Abner Young .	10.	10.	—
By Capt Rowell .	6.	—	By Wm Whipple .	12.	—	—
By Ebenez^{r} Soams .	6.	—	By Capt Richard Cutt	4.	—	—
By Saml Mitchell .	5.	—	By Capt Reid . .	7.	10.	—
By Peter Adams .	2.	10.	By Willm Rix . .	3.	10.	—
By Capt Trott . .	4.	10.	By W^{m} ffrost . .	4.	10.	—
By Ebenez^{r} Soames	6.	—	By Capt Reid . .	7.	10.	—
By Capt Reid . .	15.	—	By Capt Wakefield .	8.	—	—
By 230^{lb} powder of Capt Borrows dl^{d} by Col. Sherburn .				34.	10.	—

[Total]	£278.	19.	—
Rest Due to Ballance	48.	5.	11½
	£307.	4.	11½

May 17th 1732 Sworn to in the house of Representatives
James Jeffry Cle^{r} Ass^{m}

In the house of Representatives this account Read and accepted May 17th 1732

James Jeffry Cler Assm

Eodem die Errors Excepted

℔ Theodr Atkinson

[3–24]

[Benning Wentworth's mandamus to be a member of the Council. From Queen Caroline. "Given at the Court at Kensington the fifth day of September 1732 in the sixth year of His Majestys reign — By Her Majestys Command Holles New Castle."

Wentworth was sworn and admitted October 12, 1734. — Ed.]

[3–25]

[The same relative to Theodore Atkinson, dates included. — Ed.]

[3–27] [*Committee Appointed on Boundary Lines*, 1733.]

Whereas the late assembly made choice of Capt John Rindge as their agent at the Court of Great Britain giving him as full Power as in them lay to represent them & in their behalf to make remonstrance to his Maj. in Council & solicit for a speedy settlement of the Boundary Lines between this & the neighbouring Province & in as much as there is at present no Comittee appointed to transmitt him such occurrences as may be necessary to forward that affair therefore voted That the Honble Andrew Wiggin Esq Speaker of this house Mr Benning Wentworth & Theodr Atkinson Esq Capt George Walker Mr Saml Palmer Col. Peter Wear Esq & Paul Wentworth Esq be a Comittee of this house to transmitt to the sd agent such occurrences evidences & arguments as shall be expedient for the forwarding the settlement of the Lines above mentioned either now or in the recess of the assembly —

In the House of representatives March 7th 1732–3 the above vote read & voted nemine contradicente

Geo Walton Clr protemy

[3–28]

[*Governor's Order to the Committee for the £15,000 Loan*, 1733.]

Gentlemen — The time being expired for the Payment of the fifteen thousand pounds loan, and not half of the sum being yet paid to the General Assembly to be burnt, tho it was provided in the act past the fifteenth of May 1729, That the then outstanding debt should be paid, one third at or before the twenty fifth of July 1729, another third at or before the twenty fifth of April 1730, and the last third at or before the twenty fifth of April 1731, and that they who did not make the first of those payments, should have no benefit of the said act but that extents should goe against the lands of such delinquents, yet so it is, That many Persons made default in complying with the said first Payment notwithstanding which no extents have been made upon the mortgaged lands of such delinquents, according to the said law; and since the time limited in the said act expired, near two years more has passed away, and the mony is not yet paid in by one half. It is therefore my express order and direction by and with ye unanimous advice of ye Council that you do forthwith, laying aside all excuse, and without any further delay, render me an exact accompt of the state of that loan, from your last account, and that you strictly persue the rules and directions of the Law in making sale of the mortgaged lands, so that the outstanding bills of that loan, may be with all possible dispatch consumed to ashes, according to the tenor of the Law, His majesty haveing been pleased to Command me to see the same effectually done, even according to the Periods and Provisions of the s^d^ acts

Dated ye 13 day of March 1732–3 and in the sixth year of his Majestys reign —

[Copy, no signature.]

By His Excellency's Command wth advice of ye Council

R. Waldron

To the Genl Committee for managing ye fifteen thous^d^ pounds loan in New Hamp^r^ [See Vol. IV., p. 668.]

[3–29]

[Governor's warrant to Ichabod Roby, of Hampton, to enlist a company of cavalry in Hampton and Rye, for Col. Henry Sherburne's regiment, 1733. — Ed.]

[3–29]

[Mandamus to admit Joseph Sherburne as a member of the Council in place of Richard Wibird, deceased, dated August 20, 1733. He was sworn into office January 1, 1733–34. — Ed.]

[3–30]

[Mandamus to admit Ellis Huske as a member of the Council, dated August 21, 1733. Sworn January 1, 1733–34. — Ed.]

[3–30] [*R. Waldron to N. Gilman, concerning Intemperance.*]

Dear Sir I thank you for your favor by the carrier & in particular for ye good opinion & kind wishes therein expressed touching myself, but more especially for your zeal & testimony ag^st^ a raging immorality — As a multiplicity of tippling houses are some means, as you say, I fear of promoting vice, so undoubtedly a restraining the number would in some measure check its growth, & yet so much is rum become the Sumum Bonum of many that I apprehend the scarcity distance or dearness, or any other difficulty attending the acquisition of it would rather enhance its estimation than wean the wicked topers from their Idol, while it is upon ye face of ye Earth. It will be had by some mauger ye means of man Grace or miracle & naught else in my opinion can effect your wish, however as I have ye pleasure of thinking with you that ye fewer the retailers the better my small interest & influence will be heartily improved to discountenance the growing evil as far as retrenching ye number of licentious taps will contribute to it I have been of opinion & publickly declared it near 2 years ago y^t^ our licensed houses were too many by (at least) one half — I wish you all possible happyness & with proper respects to your self spouse & family

I am yor affect. friend & most humble Servt

R. W. 7^br^ 3 1733

[Endorsed] Copy to Mr Nich^o^ Gilman Aug^st^ 3 1733 —

[3–31]

[*Instructions to Governor Belcher, concerning the Surveyor-General of Customs*, 1733.]

GEORGE R. Additional Instruction to Our Trusty and well beloved Jonathan Belcher Esqr: Our Governor & Commander in Chief in & over Our province of New Hampshire In New England In America, or to the Commander In Chief of our said Province for the time being. —
Loc. Sig.

Given at our Court at St James's the thirtyeth day of November 1733 In the seventh year of Our Reign.

Whereas, We have thought it for Our Royal Service that all the Surveyors General of Our Customs in America for the time being should be admitted to sit & vote in the respective Councils of the several Islands & Provinces within their Districts as Councillors Extraordinary, during the time of their Residence there, now we do hereby constitute & appoint John Peagrum Esqr Surveyor General of our Customs in the Northern District of our Dominions in America, and the Surveyor General of our Customs within the said District for the time being to be Councillors Extraordinary in our said Province of New Hamp^{r} & it is our will & pleasure that he & they be for the future admitted to sit & vote in our said Council, as Councillors Extraordinary, during the time of his or their Residence there; It being our royal Intention, if through length of time the said John Peagrum, or any other Surveyor General, should become the Senior Councillor In our said Province, that neither he nor they shall, by virtue of such Seniority be ever capable to take upon him or them the administration of ye Government there upon the Death or absence of any of our Governours & Commanders in Chief, or Lieutenant Governors; but when ever such Death or absence shall happen the Government shall devolve upon the Councillor next in Seniority to the Surveyor General, unless we should hereafter think it for our royal service to nominate the said John Peagrum, or any other of our said Surveyors General, Councillors in Ordinary in any of our Governments within their Survey, who shall not in that case be excluded any Benefit, which attends the seniority of their rank in the Council — It is likewise our Will & Pleasure, & you are hereby required, by the first opportunity, to move the assembly of our said Province under your Government, that they provide for the Expence of making Copies for the said John Peagrum & the Surveyor General of our Customs in our said Province for the time being, of all acts and Papers, which bear any relation to the duty of his office & in the mean time, you

are to Give orders that the said John Peagrum, or the Surveyor General for the time being as aforesaid, be allowed a free Inspection in the publick offices within your Government, of all such acts and papers without paying any Fee or Reward for the same.

G. R.

Copy Rich[d] Waldron Sec[ry]

First entered in y[e] Secretarys office 17 Oct[r] 1735, & burnt,* and entered again June 22, 1737.

R. Waldron Sec[ry]

Mr Surveyor Peagrum sworn into the Council June 25, 1737.

[Endorsed] Mand[a] for Surveyor of the Customs to be a Councill[r] 9[br]: 30: 1733:

[3-32]

[Commission to David Dunbar to be "Captain of His Majesty's Castle William and Mary upon New Castle." Not executed. Dated 1733. — Ed.]

[The following papers relating to some trouble the surveyor of the king's woods had, in an attempt to confiscate for his majesty's use some boards at Copyhold mill, now in the town of Brentwood, show the sentiments of the people of those days relative to the act of the British parliament, forbidding the cutting by any person of pine trees "fit for masting our Royal Navy"; and the fact that they had the courage of their convictions. It may be seen that even at that early day the people of Exeter did not hesitate to rebel against crown officers who were attempting to enforce obnoxious decrees. In this case Dunbar labored under great disadvantage, as Governor Belcher was his bitter enemy, and enjoyed nothing better than to see him humiliated. The depositions following should probably be taken with some allowance, although the men were undoubtedly roughly handled, and convinced that they were not engaged in a popular undertaking, or one in which they cared to continue. — Ed.]

[3-36]

The following depositions were taken at Exeter April 24[th] 1734, Before Nich[s] Gilman John Gilman Bar[th] Thing John Penhallow Esq[rs] Just[t] of y[e] peace —

* When Secretary Waldron's house was burned, May, 1736.

James Pitman on oath S^{d} (being sent up by His Hon^{r} Col: Dunbar to Exeter with several others on His Majtys Service) at the House of Saml Gilman in said Exeter as he was with some of His Company going to bed about thirty men broke into the Room, & put out their candles; & Immediately fell upon him, Benj^{a} Dockum, Benj^{a} Pitman, & Robert Gallaway & did then & there Beat us & Dragged us about, & at length got us to the Head of the chamber stairs & pulled us down, one over another headlong 'till they got us to the Door & pulled us out then with a clubb did knock him down upon the Ground giving him several blows with wch was in great danger of his life having rec^{d} several wounds, & lost a great deal of blood, he endeavoured to git away as well as he could, & James Dudley followed him to the House formerly Stephen Dudleys & told him he would be the death of him, afterwards he was guarded by Capt Gilman to the House of one Marshall where he lodged —

James Pitman [Benjamin] on oath said, That being in the House as aforesaid, with Benj^{a} Dockum & Robert Gallaway in the kitchen, about 9 of ye Clock in the evening three men Bolted into the Room & took said Gallaway by the hair of the head, & were dragging him to the door, with that he stept in to his assistance & called said Dockum, & Dockum went off to call Mr Justice Gilman, who came in & commanded the peace, & ordered the People home, & bid us go to bed, & we went up in order to go to bed & then about 30 men broke in upon us & pulled us down stairs headlong & beat us, & struck us a great many blows, & struck him with clubbs, & being in danger of being murthered, he ran to the House of one Marshall a Hatter & burst the door open, & more than a doz^{n} men followed him, & swore they would murther him, & being so terrified he was hid by the woman under the coverlid, & the men came into the House & made search for him, & set a Guard round the House in order to find him —

Henry Marshall made oath that he & his wife were in bed when said Pitman came to his House for safety & soon followed a great number of men to our great surprize & demanded Pitman but he denyed that he was there, they then threatened him, but their voices seemed disguised, & they continued round the House some hours to our great terrour.

[The following men also testified in the matter:

Robert Gallaway "made oath to what Benj^{a} Pitman swore to."

Joseph Cross stated that he was knocked down with a club, otherwise abused, and his life threatened; that he got away and hid behind a fence until morning.

Walter Alston, that he was struck by one William Graves, and others, in the street.

William Stiggins and *William Tarrat*, that hearing the cry of murder they got out of the house and mixed with the crowd, escaping thus from injury.

Negro Peter, that he was forewarned and kept out of the way.

Benjamin Dockum corroborated the testimony of James and Benjamin Pitman, and stated that he hid under a wharf until the tide came up, and then under a pile of boards until daylight. — Ed.]

Joseph Miller swore to the truth of what Dockum did, of what happened in the chamber & till he was pulled out of the House, & after that they took him by the arms & legs, & dragged him to the bank where was a pile of boards over which they threw him, & down the bank about fifteen foot, by which he rec^{d} a great hurt in his back, where he lay 'till next morning being afraid to be seen again least he should be murther'd, but being hard of hearing could not understand their discourse afterwards. —

Copy John Penhallow Jus : pce

[3-37] [*Peter Greeley's Deposition.*]

April ye 25th 1734/ On ye 22^{d} of this instant April as I was a riding in compiney with Simon Gilman of Exeter he asked me some Questions about Buring of Boards to wich I answered him I knew nothing of it he then tould me he would tell me somthing if I woold not tell of it agan he then began and sade that the Peppele of Exeter had hired three Neatock [Natick] Indines to kill Colonell Dunbar Mr Adtkeson [Theodore Atkinson] and my self as we were going up to ye Black Rock mill the Indins had gote thair money for thear work all Ready and ware suplid with a Quart of Rum each of them every Day by them that Hiered them and that theare was two men Gon up to freetown [now Raymond] that night wheare ye Indons wated for thear orders and that ye two men had cared up a Gallon of Rum with them to give sd Indins that they should not fale of thare work — he allso aded that ye Indins as sune as they have dun thay are to go Right away to Neatock where they wold not be discovered

Peter Greley

Province of New Hamp^{r} } Portsm^{o} April 26th 1734, Then the above named Peter Greely made oath to the Truth of the foregoing Deposition

Cor : John Penhallow Jus : p^{s}

[Greeley was one of Dunbar's assistants, and the probability is that Gilman's tale was a successful attempt to frighten him away from Blackrock mill. — Ed.]

[3–38] [*Proclamation relative to a Riot at Exeter*, 1734.]

By His Excellency Jonathan Belcher Esq. Governour and Commander in Chief in and over His Majesty's Province of New Hampshire. —

A PROCLAMATION.

Whereas The Surveyor General of His Majesty's Woods on the Twenty sixth of the last Moneth represented at the Council Board, that he had been insulted by a number of armed men to him unknown, at Copy Hold Mill in Exeter, and that afterwards he had hired ten men to go to the said Mill to pile & mark with the broad arrow a Parcel of Boards that were cut out of forfeited logs, and that the said hired men had been beaten & abused by a great Company of men armed with Clubs & Staves to the number of about Thirty, and that the Boat employed in that Service was cut to pieces and some of the Sails Spoiled, & others Stolen ; And Whereas the said Surveyor General hath suggested That there is a conspiracy against his Life by some wicked & evil minded Persons, who have hired diverse Indians to destroy him, of which Design he has received a Written Testimony. —

I have therefore thought fit with advice of His Majesty's Council to issue this Proclamation, hereby requiring all Majesty's Judges, Justices of the Peace, Sheriffs and Constables in their respective offices, and all other His Majesty's good Subjects to make diligent search and Inquiry after and use their best endeavours for the discovery of the Persons or any of them who were concerned in the Insults or assaults abovementioned, or in destroying the said Boat, or Spoiling or Stealing the Sails belonging thereto, or in any Conspiracy or design against the Life of the said Surveyor General, as also to discover the said Indians, who are said to be hired to execute such villanous purposes ; and I do hereby strictly charge the Grand Jury of the said Province diligently to inquire into the Premises, that so the offenders may be brought to condign Punishment ; and I do hereby also declare, That whosoever shall detect the offenders above mentioned or any of them, shall receive all proper marks of the Countenance & Favour of this Government, and if any of the offenders shall deliver themselves up to Justice, they shall be pardoned Provided they discover their accomplices —

And I do hereby further require all His Majestys officers Civil & Military, and all other His good subjects within this Government to be aiding & assisting from time to time as need shall require to the Honble David Dunbar Esq Surveyor General of His Majesty's Woods, and his deputies and assistants in the Execution of their office, and that they strictly observe all acts of Parliament for the Preservation of His Majesty's Woods, and that they endeavour by all proper means that the Violators of the said acts be brought to Justice, and more especially that Prosecution be made against all Persons, who shall presume to cut into Boards, or any other ways manufacture such Trees or Logs as are by Law forfeited and condemned to His Majesty's use.

Given at the Council Chamber in Portsmouth this sixth Day of May 1734 Annoq. R^i R^is Georgii Secundi Magnæ Britanniæ &c Septimo. —

J. Belcher

By Command of His Excellency with advice of the Council.

Richd Waldron Sec^ry

God Save the King. —

[*Proceedings in Council concerning the Riot.*]

Prov : New Hamp^r — At a Council held at the House of Mr Gambling in Portsm^o on Monday May 6, 1734

Present, Mr President Walton

Jotham Odiorne	Esq^rs	Eph^a Dennet
Henry Sherburne		Josh^a Peirce
Richd Waldron		Jos : Sherburne
Benj^a Gambling		Ellis Huske

Mr Presid^t laid before the Board an order from His Excellency the Govr to him of the 2^d of the present month directing him to convene the Council, to have their advice upon a proclamation relating to a late notorious riot at Exeter which order being read the proclamation which was sent with the said order was laid before the Board and read also, to which the Council did advise & consent unanimously, and order that the same be forthwith made publick in the usual manner —

[Endorsed] Minute of Council ab^t riot May 6th 1734.

[3-40]

[Governor Belcher's warrant concerning the king's woods, dated September 9, 1734. — Ed.]

[3-41]

[Appointment of John Grey to be collector of customs at "the port of Piscataqua, Province of Main alias County of York in the absense of Anthony Reynolds Esqr gone to England for the settlement of his private affairs." The commission was signed by "Jn° Peagrum," and dated Portsmouth, October 8, 1734. — Ed.]

[3-42]

[Copy of the Governor's warrant to George Jaffrey and Joshua Peirce, directing them to assist the surveyor-general in seizing any logs or boards which had been cut from trees that were unlawfully felled, dated October 24, 1734. — Ed.]

[3-43]

[*Governor Belcher's Letter to Dunbar concerning the Warrant.*]

Sir, — I had sent you the Warrant I told you of before now, but that I waited for an attested copy of what past in Council, the Day I came from Portsmouth, and I now inclose the Minutes & War^ts as they have some Relation to one another: — The Exeter Justices doubting their Power of pursuing my Warr^t: of 9: Sept^r: in the manner you propos'd to them in your Letter of 27: of same month — I laid the affair before His Majesty's Council, upon which there arose a long & Solemn Debate, and upon the vote the Council fell into the same opinion with them, tho' four Gentlemen were on the other side of the Question, two of which only are in Commission of the Peace, So I have directed a new War^t to those Justices (with others) and now inclose it to you; of whom I expect from their Duty to the King (as well as from the great interest you have in them) That they will execute the War^t in all lawful Ways they can; when I propos'd to you the issuing of a fresh Proclamation in favour of the Royal Woods you said you tho't that, or even an Act of Parliament, would be of little service — If you can think of any Thing else proper for the Govr: to do, I shall on all occasions chearfully join all the Power & Authority I have for promoting His Majesty's Interest & Honour, and am Sir, your Honour's humble Servant J. B.

Boston Oct^r: 31: 1734 —

A True Copy J. Belcher

L^tt Govr: Dunbar

[3–45] [*Document Endorsed.*]

Copy of Exeter forged letter to Sr Charles Wager —

Honorable S^{r} — Finding that you have ordered the Judge & Advocate of your Court of Admi^{ty} in N : England to come down into this Prov : to inquire into the riot and assault y^{t} was some time since committed in this Town upon your Surveyor D–nb–r and his officers in ye execution of their office. — And we have just cause to fear that we and our relations and friends will be mightily accused to your Honour : — Therefore we have enclosed these to a relation in London & have desired him to wait upon your Honour with it to acquaint your Hon^{r} with the plain truth of the matter, and we hope from which your Hon^{r} : will believe us innocent, We must confess to your Hon^{r} that we and most of our friends and relations are concernd in Saw Mills, and in former surveyors times we were indulged by them & their officers in cutting all sort of Mast Trees that lay the most convenient for us, and to be sure we have made great distruction of the finest white Pine Trees, but as soon as D–nb–r came amongst us he and his officers attempted to restrain us by seizing our logs & prosecuting us in the Court of Admiralty : But at the same time our Chief Govr Mr Belcher privately gave us all possible encouragem^{t} to go on telling us that we had the most right to those Woods and that we ought not to be restrained & those Laws made to restrain us were wicked and iniquitous Laws and charged us not to regard them or mind that Irish Dog of a Surv^{r} or his Deputys for altho' He must make a shew of assisting ye Surv^{r} as He was commanded yet he would manage it so with a majority of his Majestys Council of this Prov : & all ye Justices of the Peace (who durst do nothing but what He directed) that we should not suffer & further to encourage us to cutt & destroy His Majestys Mast Trees & to insult ye Surv^{r} D–nb–r he made several of us Justices of the Peace, Officers of ye Malisha &c. And that petition we some time since sent home complaining of your Surv^{r} He had drawn up for us at Boston & sent down to us to sign, which we durst not but do and a great many other things he hath done to encourage us to insult & abuse ye Surv^{r} & his Deputys & He still continues to encourage us & now tells us not to regard or fear any thing from the inquiry that is now making for he says he shall write to your Hon^{r} about it, and boasts that he hath such an influence over your Honour y^{t} you will believe every thing He writes you. — But we have write your Hon^{r} the plain honest truth & we here also promise for our selves & our friends & our relations y^{t} we will for the future be directed by your Surv^{rs} what trees to cutt so we hope your hon^{r} : will believe we have been mislead & will not suffer your offi-

cers of your Court of Admiralty to pull us to pieces & ruin us & our Familys as Govr Belcher hath been ye principal cause of our acting as we have done. — And we also hope & beg y^{t} it may be a secret that we have wrote to you on this affair so long as Govr Belcher remains Govr over this Prov: of N: Hamp^{r} for were he to know it he is of such an implacable temper y^{t} he would not stick at any thing to ruin us and we most heartily pray God he may not long continue over this Prov: of N: Hamp^{r} for if this Prov: should continue under him much longer it must be absolutely ruin'd & all His Majestys Woods destroy'd And whatever may have been told you to the contrary we can assure you that there is no part of His Majestys Dominions in North America y^{t} hath any Mast Trees in any degree like what grows in this His Majestys own Prov: of N: Hamp^{r} & more particularly upon this River of Piscataqua either for quality or bigness for severall of us have travelled thro' all the Wood Lands as far as thro' N: Scotia & there is nothing like the Woods of this Province: & no body knows or understands ye woods better than we do that have been bred in them: And if your Hon^{r} should have any Doubt of ye truth of what we here write you there is severall Gent^{n} both of this Prov: and of the Prov: of ye Mass^{a} Bay now in London y^{t} knows all those things very well, particularly Mr Sam^{ll} Waldo who is Mr Gulstons Agent for procuring Masts for the Royal Navy & Mr Wentworth of this Prov: — and we have onely to pray your Honour to pardon this freedom we have taken of writing to your Honour concerning those things whereof we are accused. — And we are in behalf of our selves & a great number of our misled friends & relations — Your Honours

Most Obedient humble Serv^{ts}

J. Gilman Jos: Lord
Geo: Gerrish Peter Thing
Jno Hall

Township of Exeter in the Prov: of N: Hamp^{r} the 5th of May 1739 *

For the Honble Sir Charles Wager at the Admiralty Office London

Copyed ye 6th & 7th of October 1739 —

[The foregoing was plainly the work of Dunbar, who used all the means in his power to supersede Governor Belcher; and the Governor used his best endeavors to secure the removal of Dunbar. —Ed.]

* [Evidently should be 1734. — Ed.]

[3-46]

[Copy of commission to William Parker, Jr., to be a notary public in place of James Jaffrey, "whose commission for that office is hereby superseded." The term of the office was "during pleasure." Commission dated October 24, 1734. — Ed.]

[3-47]

[*Report of Committee on the Condition of Fort William and Mary.*]

Province of New Hamp^{r} May 8th 1735

Wee whose Names are hereunto subscribed being appointed to view the Fort W^{m} and Mary which we find in a very Ruinous Decaying Condition and not in a Posture of Defence and as we understand it was the mind of this house the Present Circumstances of the Province would not admit of a Complete Repair we not undertake to Calculate what the Rebuilding of the Walls and Bastions &c and stores would cost, but onely what is now of Present Necessity and are of opinion that there be Provision made for Repairing the Gun Wheels and Platforms within the Fort directly, and our Calculation of the Cost is as followeth — viz :

4 Gun Wheels @ 70/	14.	0.	0
[Torn] three inch pine Plank	37.	10.	0
100 Oak Sleepers 24 foot Long	40.	0.	0
Spikes and Labour	22.	10.	0
4 BB^{l} turpinetine to —— the Gun Wheels	14.	0.	0
½ BB : train Oyl	3.	0.	0
A New Pennant	8.	0.	0
Powder-house Floor 30/ Labour & 50/	4.	0.	0
	£143.	0.	0

The Platform to ye Westward of the Fort on the Point we find Rotten and are of Opinion that it would be best to Repair it with stone —

John Sanburn
Josh^{a} Peirce jun^{r}
Jonathan Chesle

[3-49] [*Dedimus, from the Original,* 1735.]

LOYAL AV. MORT Jonathan Belcher Esqr Governor & Commander In Chief, in & over His Majestys Province of New Hamp^r^ in New England

To the Justices of His Majesties Inferior Court of Common pleas for said Province or any Two of them Greeting. — Whereas Nathaniel Sargent Paul Wentworth and Bartholomew Thing Esq^rs^ are appointed special Justices of the Inferior Court of Common pleas, by a Commission bearing even date with these presents, & sent you herewith —

In order therefore to enable the said Nathaniel Sargent Paul Wentworth & Bartholomew Thing Esq^rs^ duely to execute the office of special Justices as aforesaid. — You are hereby authorized & required, to administer to them the oaths appointed by law, to be taken instead of the oaths of allegiance & supremacy, as also the office oaths, & likewise to cause them to repeat & subscribe the Declarations by law also required, & return this with your doings hereon into the Secretarys office within three months. —

Given under my hand & seal the twenty seventh day of November 1735, & in the ninth year of His Majestys Reign. —

J. Belcher —

By His Excellencys Command —

Richd Waldron Sec^ry^

[3-50] [*Quakers' Petition concerning Oaths,* 1736.]

To Jonathan Beltcher Esqr: Governor and Commander in Chief (Under God) in and over the provinces of the Massachusets Bay and New-hampshair in Newengland and to the Counsel and house of Representatives in Newhampshair afores^d^ — We the people Comonly Called Quakers in this province when we are Chosen in any office in town affairs and are notified to appear before som magistrate to be Qualified for ye true performance of our duty in such office we are Required to Qualify by an oath which is Contrary to our principle and that which we Cannot Conform to tho we sufer greatly for it: notwithstanding we are willing to serve our Respective towns and have sought to be Qualified as we have been in other Causes but it hath been Refused altho we do not desire the pennalty should be any whit less upon us if we be unfaithful in such office then if we swore with an oath. —

We humbly desire that you will be pleased to Consider of this mater and provide som way by which we may not be imposed upon as afores^{d} so shall our prayers be to ye Lord for you that he may direct you to do Justice and Equity — We Remain your Loveing friends — Signed on behalf and by order of our monthly meeting held at Dover on ye 17th day of ye 2^{d} mo. 1736

By Ebenezer Varney
John Canne

April 29th 1736 — In the house of Representatives the within Petition was Read and considered upon and Voted that the Prayer of the Petition be granted and that the Pet^{rs} have Liberty to Bring in their Bill accordingly —

James Jeffry Cl^{r} Ass^{m}

In Council Eod. die Read & Concurred —

Richd Waldron Sec^{ry}

Consented to — J. Belcher

[Not printed in journal of the House in Vol. IV. — Ed.]

[3–51] [*Commissioners on Boundary Line Recommended.*]

[Endorsed] L^{dds} of Trade nomination of Commissioners for the line.

To the Right Honble the L^{dds} of the Committee of His Maj^{tys} most Honble privy Council

My Lords Agreeable to your Lordships order of reference dated 24 of January last, we have considered of proper persons to be appointed Commissioners for marking out and settling the boundaries or dividing lines between the Province of the Mass^{a} Bay & New Hamp^{r} and for that service we take leave to name to your Lordships George Clark, Francis Harrison, Cadwalder Colden, Abraham Vanhorn, & Philip Livingston Esq^{rs} of the Province of New York : John Anderson, John Hamilton, John Wells, John Reading & Cornelius Van-horn Esq^{rs} of the Province of New Jersey ; William Skene, William Shirreffe, Henry Cope, Erasmus James Phillips Esqr & Maj^{r} Paul Mascarine of the Province of Nova Scotia, being the five eldest Council^{rs} in their respective Provinces And Saml Vernon, John Gardiner, John Potter, Ezekiel Warner, & George Cornel who were the eldest Councillors for the Colony of Rhode-Island in the year 1734, & may probably be so stil, tho they chuse their Councillors annually

& we have no list of Councillors in that province of later date — These Persons we think may be least liable to exception being men of distinction in their respective Provinces. — We are my Lords Your Lordships most obedient & most humble Servᵗˢ

Whitehall April 1, 1736 —

Copy	Fitz Walter	Edwᵈ Ash	R. Plumer
	T. Pelham	A. Croft	M. Bladon

[Vol. IV., p. 848.]

[3-52]

[Dedimus to swear Thomas Peirce and Nathaniel Rogers as special justices of the court of common pleas, dated December 3, 1736, signed by Governor Belcher, with impression of seal in wax. — Ed.]

[3-53]

[Precept for the election of members of the House of Representatives, dated February 14, 1736-37. — Ed.]

[3-54]

[Dedimus to swear Joseph Sherburn, Ellis Huske, Paul Wentworth, Bartholomew Thing, and Nathaniel Rogers as special justices of the court of common pleas, dated May 31, 1736, and signed by Governor Belcher, with fine impression of seal in wax. — Ed.]

[3-55]

[*Communication from Massachusetts concerning Boundary Lines*, 1737.]

Province of the Massa : Bay } Salisbury Aug : 13, 1737

Honᵇˡᵉ Sir — I am commanded by the General Court of this Province to send you the Copy of an order referring to the Settling the Boundary &c which I have herewith inclosed & sent you by the Bearʳ hereof accordingly — I am Sir yoʳ most obedᵗ humble Servant

Simon Frost D. Secʸ

to Mʳ Secʳʸ Waldron

At a Great and General Court or Assembly for His Majestys Province of the Massachusetts Bay held at Salisbury by adjournment Aug: 10th 1737, & continued by further adjournmts to August the 13th 1737.

In the House of Representatives:

Whereas upon the Recommendation of the Honble His Majesty's Commissioners for marking out and settling the Boundaries with New Hampshire, this Court passed a vote appointing a Committee to confer with a Committee that may be appointed by and on the part of the Province of New Hampshire in order for an agreement upon some Plan which may be thought proper to be exhibited by the two Provinces to the Honble Court of Commissions for giving a right understanding in the affair of the Controverted Boundaries, and this Court being very desirous that a speedy and just Decision may be put to the said Controversy.

Ordered That the General Assembly of the Province of New Hampshire now convened be forthwith informed of the Proceedings of this Court herein and to move they would raise and impower a Committee to confer with the Committee of this Court in the Premises, and that report be made respectively to both General Courts as soon as may be.

In Council Read & Concur'd

Consented to J. Belcher

Copy Examd ℔ Simon Frost Deput Secry

[3–56] [*Petition of Appeal. John Thomlinson to the King.*]

[The following is an important document relating to the boundary controversy between New Hampshire and Massachusetts. It is not dated, but must have been presented between November, 1737, and August, 1738, according to a statement in this document. — Ed.]

To the Kings most Excellent Majesty in Council. The hum: Petition of Appeal of John Thomlinson Esqr Agent for the House of Representatives of your Majesties province of New Hamp: for and on behalf of your Maj. and of your Loyal Subjects of the Province of New Hampshire —

Sheweth — That your Majesties said province of New Hampr Extends from sea to sea in America, that is to say from the Atlantick sea or Ocean on the East part to the south sea on the West part, or at least so farr as your Majesties Other Government Extends towards

the south sea and is bounded on the South side by the Great Charter Government of Massachusetts Bay — That the Governm^{t} of the whole Province of New Hamp^{r} is in your Majestie, and altho the Heirs or Representatives of Saml Allen do Claim a small Limitted part of the soil there yet by very far the greatest part of the soil of that province is also in y^{r} Majesty — That after bearing a Continued Seres of Encroachm^{ts} and oppressions for a great Length of time from the over grown Province of the Massachusets Bay the Representatives of you Maj^{s} small province of New Hamp^{r} Appointed Mr Rindge their Agent and he at Exceeding great Charges for about five years together Carried on a humble Application to your Majestie that a Com^{o} might Issue for settling the Bounds between the said two provinces in which fair and Reasonable Request he met with such numerous and Expensive Oppositions from the Massachusets Agent who had directions to spare no Expence whatever to Oppose the Issuing such a Com^{o} and who most Exactly followed his Instructions therein that the said Mr Rindge with the greatest Difficulty got thro' the same the Rather for that the whole Expence on the part of New Hamp^{r} lay on the Assembly there and your Maj^{s} Govr of New Hamp. being a Massachusetts Man and also Gove^{r} tho' by a distinct Com^{o} over the Massachusetts took Effectual Care during that application by his own Proroguing and disolving the assembly of New Hamp^{r} and by opposition from the Council of New Hamp^{r} which he had from time to time Recomended to prevent any money being Raised by the Publick there for Carrying on that publick service in order to Distress and Weaken and if Possible to put a total stop to that Application — But at length your Majesty's Com^{o} under the great seal for settling the Bounds Issued and was sued out at the Expence of New Hamp^{r} in the 9th day of April 1737 — Which Com^{o} directed the Como^{rs} to hold their first Meeting on the first of Augt 1737 and Contained many other directions and ℘ticulars to the following effect. — That in case either of the provinces should neglect to send to the Com^{rs} at their first meeting the names & places of abode of two of their Publick Officers on either of whom or at whose place of abode any notice summons or finall Judgm^{t} of the Com^{rs} might be served or left and in case either of the said provinces should also neglect to send to the said Com^{rs} at their first meeting a plan and full state of their Demands or pretentions in Writing discribing where and in what places the Boundaries at the Southern & Northern parts of New Hamp^{r} ought to begin and what course and how farr the same ought to Run respectively that then the said Com^{rs} in either of these Cases sh^{d} proceed Exparte. — And another direction was therein Contained that when the Com^{rs} sh^{d} have made their final determination a Copy thereof

sh^{d} be sent to such publick Officers in each Respective Province with notice of another Meeting to be held by the Com^{rs} at a distance of time not less than Six Weeks or more than three Months at which Meeting either of the provinces who sh^{d} find themselves Agrieved might Enter their Appeal to your Majestie in your privy Council with a declaration what part of the Determination of the said Com^{rs} they abided by or Appealed from

But if neither of the said Provinces should enter their Appeal or Exceptions against the Com^{rs} determination at such last meeting that then and in such case no appeal or Exception should be afterwards Received or Admitted and such Determination of the Com^{rs} when Confirmed by ye Majesty should be final and Conclusive to both the s^{d} provinces. — That Previous to the Issuing the s^{d} Com^{o} your Maj^{y} by y^{r} order in Council of the 9th of Feby. 1736 persuant to a Report from the Com^{ee} of Council for plantation affairs were pleased to direct the Issuing of such Com^{o} and all the particular Clauses which such Com^{o} sh^{d} Contain and Especially those above ment^{d} and your Majesty was further pleased by y^{r} said order in Council to Command that to the Intent the good purposes proposed by that Com^{o} might not be frustrated by any failure in the Execution thereof your Com^{rs} for Trade & Plantations should send a Letter to the Govr of the Massachusetts Bay and New Hampshire Requiring him to Recomend to the Respective Councils and assemblys of said provinces to appoint two of their Publick officers to send their names and places of abode to the Com^{rs} of their first Meeting together with such a state of their demands as before Mentioned and that such Govr sh^{d} also acquaint them that in case of their omission so to do the s^{d} Com^{rs} were Impowered to proceed Exparte. — That accordingly the said Lords Com^{rs} for Trade did write Letters and duplicates of the same and enclosed Copys of your Majestys s^{d} Order therein unto Mr Belcher as Govr of the Massachusetts Bay and also unto him as Govr of New Hamp^{r} And he Rec^{d} the said Letters and orders Enclosed long before the first of Augt namely upon the 22 of April 1737

That Previous to y^{r} Majes^{s} making such order the Lords of Trade had proposed by a Report to y^{r} Majes^{s} privy Council that during the Meeting of the Com^{rs} the Govr sh^{d} keep the Respective Assemblys setting or under short Prorogations that they might meet within 20 days after such determination delivered as afores^{d} in order to determine what to do thereon. — But upon Considering the same in Council the Agents of the Massachusetts Bay made specious objections thereto before the Lords of the Council that such a direction w^{d} create a great & heavey Expence to their province and for that Reason they strongly desired that they might not neither was it any

part of y^r Majesties Royal Directions Altho y^r Petitioner most humbly Conceives that that would have been a part of your Majest^s Gracious Directions if what has since happened could have been foreseen That the Com^o Arrived in good time and your province of New Hamp^r caused it to be duly notified to Each one of the Com^rs and a Large Quorum of them meet at Hampton ye place appointed upon the first of Augt last That the s^d Govr Belcher and the Province of the Massa^ts Bay Contirived every means in their power to Brake thro' your Majesties Express Orders Signified by the Lords Com^rs of Trade to him the said Govr and founded upon your Majesties Order in Council Copys whereof were Enclosed in their Letters to the said Mr Belcher And some of the means used thereto were that the Assembly of New Hamp^r were on the 1st of April 1737 prorogued by Mr Belcher to the 6th of July and upon the 6th of July were again prorogued by Mr Belchers Proclamation dated at Boston to the 4th of Augt wch would be three days after the time that the state of the Provinces demands were to be given in to the Com^rs with the name of two persons to act before the Com^rs for New Hamp^r and in Default of which the Com^rs were directed to proceed Exparte and as if this had not been Enough by Mr Belchers order from Boston the assembly of New Hamp^r on the 4th of Augt were again prorogued to the 16th of Augt and this in Defyance of your Majesties Royal orders sent so long before to him so that it became utterly Impossible by the act of the Govr of the Massachusetts Bay alone for the Assembly of your Majesties Little province of New Hamp^r much less for the whole Legislature to meet to make up a state of their demands as to Choose two persons to act for them and present the names of such persons and such state of their demands to the Com^rs of their first Meeting or to consider or prepare one single moment in any manner whatever for their Defence —

That under this most Extraordinary Scituation of the people of New Hamp^r did as much as they could and there being a Com^tee of the House of Representatives subsisting which had formerly Corresponded with your Pet^r about getting out and Presenting the said Com^o they signed and presented to the Com^rs at their first meeting on the said first of Augt a demand in Writing in the behalf of your Majesty and also in behalf of your province of New Hamp^r that the Southern Boundary of New Hamp^r sh^d begin three miles North from the Middle of the Channel of Merrimack River where it then Run into the Atlantick Ocean and from thence a straight Line West up into the main Land towards the South Sea untill it meet with your Majesties other Govern^t: and that the Northern Boundary of New Hamp^r should begin at the Entrance of Piscataqua Harbour and to pass up the same into the farthest head thereof and from thence North west ward as far as

the British Dominions Extended and the West half of the Isle of Shoals

That the said Com^tee^ : did also Choose and Nominate to the said Com^rs^ two persons as Agents for New Hamp^r^ : namely Messrs Waldron & Russell the Secretary and Sheriff of New Hamp^r^

That the Com^rs^ seeing the Difficulty which the Massachusetts Govr had put New Hamp^r^ under did Receive that nomination of the two persons on the part of New Hamp^r^ and did also Receive & Record that Claim & demand on their part And the said two persons protested and Insisted before the Com^rs^ that as the Massachusetts Bay had in no manner whatsoever presented to the Com^rs^ any State of the Massachusetts Claim or pretentions at the Com^rs^ first meeting or for a considerable time after that the Com^rs^ would proceed Exparte and not Receive the same afterwards it being so directed by yor Majesties Com^rs^ But the Com^rs^ did Receive a state of the Massachusetts pretentions some time afterward as also severall matters as Evidence to support the same which the Agents on the part of New Hamp^r^ objected to and were not proper Evidence to be Rec^d^ : That after the Assembly of New Hamp^r^ were permitted to sett on the said 10th day of Augt which was nine days after the Com^rs^ first meeting Mr Belcher made a speech to them taking notice that the Com^rs^ were arrived and telling them that the first thing the Assembly had then to do was the Choosing and appointing two officers on whom notice from the Com^rs^ might be left — But the Assembly Carefully avoided falling into that scheme which if pursued had been to Render Invalid all that had been before done in due and proper time and with the utmost Regularity that the Govr himself was pleased to permitt to be used and therefore the assembly adhered to the Com^tee^ former Choice of the said Secr^y^ & high Sheriff and on the 13 Augt the Govr prorogued the Assembly of New Hamp^r^ to the 17th Augt That in the Course of the Com^rs^ proceeding they Required a Draught of the River Merrimack to be laid before them on the 22^d^ of Augt and on the 20th of Augt the Council of New Hamp^r^ sent down to the Assembly a Draught of that River with sundry votes of Council thereon for the Concurrence of the Assembly which were Instantly Read and taken into Consideration that moment & a vote formed thereon for Concurrence of the Council but on the same day before the Assembly could Possibly have the Concurrence of the Council Mr Belcher by a Message sent by the Sec^y^ adjourned the New Hamp^r^ Assembly unto the 23^d^ of Augt which was one day after the Com^rs^ had appointed to Receive that Draught And then when the vote of the Assembly alone was del^d^ into the Com^rs^ the Agents for the Massachusetts Bay objected that that was not the vote of the whole Legislature of New Hamp^r^ : That the

New Hamp^{r} Assembly on the 25 of Augt sent up a Message to the Govr and Council taking notice how the Com^{rs} were delayed for want of plans of two Rivers and praying the Govr and Council to pass upon the votes Relating thereto wch the assembly had sent up to them the 20th Instant [See Vol. IV., pp. 742–3.] That the Majority of the Council on the 25th of Augt Voted to agree to the plan of Merrimack as produced by the Massa^{ts} and in order to give the Massachusetts all possible advantage the Council of New Hamp^{r} in their vote discribed as if the whole water from the Atlantick sea [to] Winnepiseokee pond was all and every part of it Merrimack River, which vote they sent down for the assemblys Concurrence but the assembly Instantly nonconcurred therewith and adheared to their own votes of the 20th Ins^{t} [Vol. IV., pp. 743–4.] That on the 2 of Septr 1737 the Com^{rs} made up a Determination and stated that having taken under Consideration the Evidences pleas and allegations offered and made by each party a doubt arose in point of Law and that thereupon they come to the Resolution That if the Charter of King William and Queen Mary granted to the Massachusets Bay all the Lands that were granted by the Charter of King Charles the first to the late Colony of the Massachusetts Bay lying to the Northward of Merrimack River then they adjudged that a Line should Run parallel with the said River at the Distance of three English Miles North from the Mouth of the said River begining at the Southerly of the black Rocks so called at Low water mark and from thence to Run to the Crotch or parting of the said River where the River of Pemigewassett & Winnepiseokee meet and from thence due North three English Miles and from thence due West toward the South sea untill it meet with his Majes^{t} other Governm^{ts} which should be [the] boundary or Dividing line between the said provinces of the Massachusetts Bay and New Hamp^{r} on that side But if otherwise then they adjudged & determined that a line on the Southerly side of New Hamp^{r} beginning at the distance of 3 English Miles North from the Southerly side of the black Rocks aforesaid at low water mark and from thence Running due West up into the main land towards the South sea untill it meet your Majest^{s} other Govern^{t} should be the Boundary Line between the said provinces on the side aforesaid which point in doubt the Com^{rs} submitted to the Consideration of your Most Sacred Majesty in your privy Council And as to the Northern Boundary between the said Provinces the Court Resolved and determined that the Dividing Line sh^{d} pass up thro the mouth of Piscataqua Harbour and up Quite thro' the middle of the River into the River Newich Wannock part of which is called Salmon Falls and thro' the middle of the same to the further head thereof and from thence North 2 Degrees Westerly

until 120 Miles be finished from the mouth of Piscataqua Harbour aforesaid or untill it meets with your Majesties other Governments and that the Dividing Line shall part the Isles of Shoals and Run thro' the middle of the Harbour between the Islands to the sea on the Southerly side and that the South Westerly part of the said Islands shall lye and be accounted part of the province of New Hamp^{r} and that the North Easterly part thereof shall lye in and be accounted part of the province of the Massachusetts Bay and be held and Enjoyed by the said provinces Respectively in the same manner as they now do & have heretofore held and Enjoyed the same And the Com^{rs} further adjudged that the Cost & Charge arising taking out the Com^{o} as also of the Com^{rs} and their officers as of the two Clerks Surveyor & Waiter for their Travelling Expences and attendance in the Execution of the same be equally born by the said provinces

After pronouncing which Judgment the Com^{rs} Adjourned to Fryday the 14th of Octo: at that place at ten ^{o}Clock in the forenoon (being six weeks) in order to Receive an Exception or Appeal which either or both partys might have to the said Judgment

That the Govr of the Massach^{ts} Bay keept the Assembly of that province Carefully sitting at Salisbury Close by the lines and they upon the 5 of Septr Rec^{d} & Considered the Judgment of the Com^{rs} & sat the 5 6th & 7 of Sepr after that they had Rec^{d} the same untill they had fully Considered the same and untill such time as they of their own accord moved the Govr to adjourn them as haveing no Business left to do and then and not till then he accordingly adjourned them to meet at Salsbury the 12 of Octo^{r} two days before the Com^{rs} were to meet But as to the New Hamp^{r} Assembly the said Govr prorogued them before such time as they co^{d} see or so much as hear the Com^{rs} Judgm^{t} untill the 13 of Octo^{r} the day Imediately preceding the Com^{rs} last Meeting so that at the utmost they could have but one single day to Consider the said Determination and which part of it to Appeal from & by further Contrivance the Legislature of New Hamp^{r} were deprived of that short time also

For when the Assembly of New Hamp^{r} were met persuant to the Gov^{rs} prorogation on the 13 of Octr and in great hurry to Consider the Com^{rs} Judgment and prepare their appeal to be entered before the Com^{rs} the very next morning they on the said 13th & 14 of Octo. formed a vote Relating thereto in nature of Exceptions to such part of the Judgment as they in the little time they had to Consider thereof thot' proper and sent it up with a message to the Council Chamber but were told there was no Council setting for that the Govr on the 13th of Octo. had adjourned the New Hamp^{r} Council untill the 14th of Octo. at three in the afternoon whereas the Com^{rs} Judgment

was to meet at ten in the morning and was himself gone out of the province That the New Hamp^{r} Assembly waited for the Council on the 14 of Octo^{r} till near sun setting when perceiving the Massachusetts Agents hurrying into the Com^{rs} with their Appeal in form the Assembly of New Hamp^{r} ordered their Com^{tee} to Hasten to the Com^{rs} and file before them the vote of the Assembly as the New Hamp^{r} Exceptions to the Com^{rs} Judgment it being the Last moment for Delivery of the same

And by such votes or Exceptions the New Hamp^{r} Assembly humbly Insisted that as the Massachusetts Bay, tho' Indulged by the Govr with all possible opportunity & convenience had not in due form filed any state of their Claims or demands before the Com^{rs} they ought not to have been heard the assembly objected also against the taking any line whatever from the place called the Black Rocks which lay a mile or more Northerly than the River Merrimack itself and likewise against the Com^{rs} adjudging to the Massachusetts Bay the half of Piscataqua River when the same was not Included in their grant nor had been ever pretended to or demanded by them their grant extending to Land only and not to the River and in generall Insisted that the Bounds should be according to the Demands filed by New Hamp^{r} Which Objections or Exceptions the Com^{rs} Rec^{d} tho' the Agent for the Massachusetts Bay very Demurely opposed the same as not coming from the whole Legislature when their own Govr has so contrived as to make that absolutely Impossible That on the self same 14th of Octob. when the Business was soon in manner afforesaid the said Govr sent a written messuage to the House of Representatives in the Massa^{ts} Bay pretending he had been a sufferer by the Continual sinking of the Bills of Credit and desired a Just & Righteous answer to his messuage the answer whereto was that the same assembly of the Massachusetts in five day afterward voted him £333. 6. 8 in Bills of new Tenor being Equal to £1000. of the Common Bills of the Province as being sensible of the Extraordinary Trouble and Expence his Excellency had been at in the service of the Province &c in Terms very uncommon for that assembly and which as your Pet^{r} humbly Conceives plainly shew what particular service they thought merited that Hasty & Imediate Reward That During the course of those proceedings the assembly of the Massachusetts Bay voted about £2400. for the Expence of the Com^{o} Voted three Agents to prosecute their appeal Voted a sum no less than £2000 sterling to be sent to Great Brittain to prosecute the same besides a provision to be made for the Comfortable passage of one of their Agents hither [to England] in all which they were suffered to make their votes sufficient and Compleet But when the assembly of your Majesties

Province of New Hamp. voted sums to defray the Expence of the Com^{rs} and their officers and voted to appoint an Agent and to Prosecute an appeal and to Raise some money in order thereto the Majority of your Majesties Councillors in New Hamp. having been appointed on the Recomendation of the said Mr Belcher and being Friends to him nonconcurred in every single Instance

So that the said province of New Hamp^{r} were not able to obtain so much as a Copy of the proceedings of the Com^{rs} but are totally disabled to exert themselves in support of the Rights of your majesty & the Province

That your Pet^{r} doth most humbly appeal to your Majesty as well in behalf of your Majesty as said province of New Hamp^{r} against the Determination of the Com^{rs} & the severall matters unduly Rec^{d} by them and humbly prays your Majesty to Redress all the same That your Pet^{r} hath been necessitated to set forth these several proceedings that in case any defect in Form should be found in the Appeal from New Hamp^{r} your Majesty may be graciously pleased to Consider in how surprising a manner your Loyall Little Province of New Hamp. has been treated by the Govr who was pleased tho' very Improperly to call himself a Common Father to both the Provinces notwithstanding the signification of your Majesties Royall pleasure to him by so many severall ways as by your Majesties Com^{rs} for Trade & Plantation by your Maj^{ts} Royal order in Council and by your Majesties Com^{o} under the [seal of] Great Brittain

That your Pet^{r} prays your Majesty will be pleased to take into your Royal Consideration how barefaced and surprising a manner the said Govr Belcher who has had the Hon^{r} to have your Maj^{ts} Com^{os} both as Govr of the Massachusetts and also of your other Distinct province of New Hamp^{r} hath acted in this affair tending to the disherison of your Majestie and to usurp your Majesties undoubted property in fav^{r} to his Charter Governm^{t} of the Massachusetts Bay Also the proceedings of his Friends in the Council of New Hamp. who sett there solely by y^{r} Majestys appointment

And that your Majesty will be Graciously pleased to direct your proper officers to take care of your Majesties Interest on this occasion

And that in case the said proceedings of the Com^{rs} shall be sent over to any of your Majesties officers your Majesty will be graciously pleased to permitt your Petit^{r} to have a Copy of the same which are very Long without Expence in order to defend the Rights of your Subjects in New Hampshire

And that your Majesty will be most graciously pleased to hear this affair & make such several orders and Determinations in the premises for the settling the Bounds of the said Charter Governm^{t} and for the

Relief of your subjects of New Hamp^{r} in all Respects and that in such manner as to y^{r} Majesties Great Wisdom & Justice shall seem meet —

And y^{r} Pet^{r} as in duty bound shall ever Pray &c.

John Thomlinson

[Endorsed] Thomlinsons Complt. — Copy —

[3–57] [*Answer to the Foregoing. Copy in Waldron's Hand.*]

Breif of an answer to John Tomlinson's Petition & Appeal to his Majesty.

1 N. H. does not extend from Sea to Sea. Nothing is N. H. but what was made so by the royal Grant to John Mason, which extended but sixty miles from ye atlantic into the Country, and in all the Governor's Commissions since that Grant, there has been onely the northern & southern side bounds mentioned vizt from 3 miles to the northward of Merrimack River & every part thereof to Piscataqua River without saying any thing of Extent Eastward or Westward, wherefore according to the most genuine Construction of the several Commissions the extent of N. H. can be no longer E. & W. than are the rivers of Merrimac on one side & Piscataqua on the other, or at most but 60 miles

2 All that was ever called N. H. was Granted to Mr Mason, & if the Grant was valid & legal the soil of that Prov. appertains to the lawful heirs & assigns of the s^{d} Mason, and His Maj^{ty} has no right therein — N. B. If the soil is in part in the heirs of Saml Allen, and the residue in His Majesty wch is pretty plumply acknowledged, what right has an agent of the representatives to dispute the property or the boundaries —

3 Series of encroachments & oppressions (true eno') But the Govr as soon as he had opened his Commission used & Continued his utmost endeavours to heal the differences which he found among the Borderers, and which had been subsisting many years and carryed often to much higher pitch formerly than latterly except a few years ago that Col^{o} Dunbar went with an armed force from Derry and with great wrath and assulted some Haverill Mowers, swearing death and destruction to the Persons which made them flee for their lives. Such an Instance of threatened violence there never was before or since & that was on the part of N. H. — Also the expensive & numerous oppositions from the Mass^{a} Agent that doubtless is right, but that the Govr prevented the raising of money to carry on the affair

by prorogations & dissolutions is equally vain & absurd when they had sessions as frequent and of as long duration as any under the admⁿ of former Governours

4 The Commission sued out at yᵉ Expence of N. H. How could that be, if the Govʳ took effectual care as suggested in the next preceding paragraph to prevent the raising any public money —

5, 6, 7, 8, 9, 10, 11, 12, 13, 14th paragraphs are about yᵉ Commission & what passed at home previous and subsequent to it wᶜʰ are facts I cant speak to, neither am I able to undisguise the misrepresentations —

15 Govʳ Belcher contrived to break thro' His Majᵗʸ Instructions It is an audacious imputation but as his onely Gratis dictum, that he did not is a sufficient answer

16 As to the prerogations from time to time they were fully answered in the reply to yᵉ Complaints of Wiggins & others, and the assembly Singly and the Council and assembly joyntly had as many opportunitys for doing what they tho't, and more than any Council & Assembly have had before, but in plain truths the majʳ part of the Council & Most of the principal Members in the Assembly could not think Mʳ Rindge's Capacity equal to an undertaking of that kind, & had the utmost reason to Suppose both him & Mʳ Tomlinson wᵗʰ some Discontented designers in the province to be in a Combination to Promote some selfish Schemes to the Part of the provinces under the Specious pretense of Geting yᵉ line setled which had labord at certain seasons between 40 & 50 years under the Admˢ of Lᵗ Govʳ Usher Govʳ Allen Lᵗ Govʳ Partridge Govʳ Dudley — Lᵗ Govʳ Usher again, Lᵗ Govʳ Vaughan Govʳ Shute Lᵗ Govʳ Wentworth Govʳ Burnet Lᵗ Govʳ Wentworth again, during which time all the Essays proved fruitless, tho the province sent home three or 4 Agents besides what they Employed in Englᵈ & it is to be noted that 3 of the persons above named were N. Hampʳ so that the affair had no better success when a N H man was at yᵉ head of the Governmᵗ than now Massᵃ and the N H Agents were once and Again advised by their Council learned in the law to make no Stir about the line, for they had no right to dispute it, & that it be their highest to hold their possessions as quietly & Silently as possible as the most Effectual way of Securing the title of what they enjoyed & the Govʳ apprehends that this was one principal & weighty Consideration which occasioned the Councils acting in the affair, who were Gentlemen well knowing in yᵉ premesis & throughly deleberated on them while the Majʳ part of those who were for raising mony to Settle the line than planters or Comon laborers in the field utterly ignorant of their interest & so easily Misled by the hissing of the snake in the Grass.

The Council wisely considered the people of New Hamp^{r} never had any grant or Charters for their province from the King, and tho't it better to rest till some new scheme could be projected by Men of Experience & wisdom than to rush Precipitantly after blind leaders into the dark track, which had proved a labyrinth to them near 50 years — They concluded till they could make out a property in the soil they must fail in setling the bounds, and that the property was in his Majestys was the opinion of Govr Shute & the Council in his day and of many others who accepted Six Townships under His Majesty by the Grant of the s^{d} Govr Shute, since wch Lt Govr Wentworth granted 6 or 7 Towns more in His Majestys name & took care that himself & 4 or 5 of his sons with all the Council and every Member of the House of Representatives of that day was a proprietor in every one of them. This is said to shew the sense & opinion of the Govr Council & Assembly at that time that the soil was His Majestys, and of the same opinions continued the Council to last October when they advised the Govr to grant a new Township at the head of Rochester formerly granted by Govr Shute & were afterward every man of them Voted in & admitted associates with the proprietors of the said new Town — and it may be further observed, that several of the Towns granted by Lt Govr Wentworth were granted home to Merrimack, and the bounds of one of them (namely Barnstead) carryed several miles on the South side of that. Those persons (say the Council) who accepted Controversial lands in part of their Townships took 'em at their peril and that it is of all things most unequitable, that the poor distressed People who have no interest in the Grants which have principally occasioned the Quarrel, should pay any duty to support it, further the Council said a Contention about the line might probably give a fresh alarm to the heirs or assigns of Mr Mason, and bring on new disputes with them, which probably might subject the prov : to new and greater inconveniency on ye score than any heretofore — These and many other considerations influenced the Council in their conduct in this affair as the Govr was convinced by the whole tenour of their Conversations and arguments at ye Board and not any bias to humour the Govr as has been suggested contrary to sense & reason — But yet the Council did once Joyn with Assembly to give 500£ to reimburse for expences past & to Grant 500 more to Defray the charge of Com^{rs} if any should be appointed which some of 'em declared was an offering violence to y^{r} reason and afterward the Council voted pay for ye Com^{rs} but ye Assembly would not consent —

17 The petitioner says under this extraordinary situation &c — Extraordinary situation indeed, that a poor little province (as he calls it & rightly eno') should be so involved plagued & incumbered with

the charge of a busyness, which the most wise & thinking people esteem an unjust burden on the people — But to recurr the petitioner says a Committee of the House of representatives subsisting wch had formerly corresponded wth him about geting out and prosecuting ye s^d^ Commission presented unto ye Com^rs^ a demand which is a most flagrant falsehood, that being done by a Committee appointed by the General Court (vizt) four Council^rs^ (not of ye Gov^rs^ appointm^t^) & 4 representatives chosen ye 2 April 1737

18 That the s^d^ Committee did chuse 2 persons is false, it was the Committee of ye Genl Court y^t^ chose them

19 The Com^rs^ did receive the nomination of ye two persons y^t^ is true but never made any use of ye persons & declared they would receive ye choice of ye Genl assembly if they w^d^ choose

20 That the 2 persons protested before ye Com^rs^ is a downright falsehood, they were never notifyed of their being chosen either by the Commissioners or Committee, nor ever did one act in consequence of the choice

21 The said Agent of N. H. objected, tho' in paragraph 17 tis s^d^ a Committee of ye House of represen^e^ made the demand

22 The Govr made a speech 10th of Aug^t^ & recommended the chusing 2 officers True —

23 The assembly would not chuse but adheard to the choice of ye Committee, that is as true, & it is a manifest evidence the Settlem^t^ of the line was not so much at ye heart of the leaders of the flock as was the design of rendering the Govr obnoxious to the K^s^ displeasure, & making the matter of the line the handle for it, the whole tenour of the proceedings evince the truth of the suggestion — For the assembly well knew, the Com^rs^ would have rec^d^ a choice if they had seen meet to make one at any time before there was occasion to make use of the officers

[Endorsed] Answer to Thomlinson's Petition.

[3-59] [*Extract from Charter of Kingswood*, 1737.]

[Copy of a charter of a town by the name of Kingswood, by Jonathan Belcher. Dated October 20, 1737. The bounds were as follows: "Beginning at the Southeasterly corner of Barnstead and from thence to run upon the same course as Barnstead Easterly side line runs to Winnipiseokee pond, from thence upon a right angle till it comes to the Boundary line between our said Province of New Hampshire and that which was formerly called the Province of Main, from thence as the said Boundary line runneth to the North-

easterly corner of the Town of Rochester, from thence by Rochester and Barrington head lines to the Bounds first mentioned." — Ed.]

A Schedule of the Persons names to whom the within Charter is Granted vizt.

Eleazr Russell	Nathl Mendum	Saml SherburneInnholder
Nathl Rogers	George Rogers	Eliot Vaughan
Matthew Livermore	Joseph Whipple	Peter Greley
Thoms Peirce	Jno Ross	Ichabod Plaisted
Wm Parker	Jno Shackford Junr	Thomas Newmarch
Benja Walton	Jno Wood	Jno Kennard
Saml Hart	Wm Frost	Moses Dennett
Jos : Moulton	Benja Miller	Joseph Langdon
Jno Cutt	Daniel Moulton	Saml White
Thoms Wright	Benja Gambling	George Peirce
Jno Ayers	Jno Pray	Joseph Jackson
Solomon Cotton	Solomon Pike	Moses Noble
Danl Jackson Junr	Michael Whidden	John Sherburne of Little Harbour
Saml Sherburne Mercht	Jno Fellows	
Henry Sherburne Jr. do.	Thoms Westbrook	John Sherburne son to Joseph Snerburne Esqr
Wm King	Daniel Rogers	

Charles Frost N. Castle Henry Sherburne Junr of ye Plain
Jno Dennet son of Epha Dennet Esqr

[3–60]

[Petition of Eleazer Bickford; was in the expeditions to Cape Breton and Annapolis, in which he contracted a disease; wanted an allowance. — Ed.]

[3–60]

[Copy of a mandamus to admit John Rindge as a member of the Council in place of Benjamin Gambling, deceased. Dated at Kensington, England, July 22, 1738, and signed "By His Majestys Command Holles New Castle." — Ed.]

[3–61] [*Letter of Marque*, 1739.]

Jonathan Belcher Esqr Captain General and Governour in Chief in and over His Majestys Provinces of the Massachusets Bay and New-Hampshire in New England in America and Vice Admiral of the Same —

To Captain Joshua Newbold Commander of the Ship Calia.

Whereas His Sacred Majesty George the Second by the Grace of God of Great Britain France and Ireland King Defender of the Faith &c hath been Pleased by warrant under His Royal Sign Manual, to authorize and Impower Me to issue forth and grant Letters of Marque and Reprizal to any of His loving Subjects or others who shall apply to me for the same, and whom I shall deem qualified in that behalf, for arming and fitting out private Ships or Vessels of war for the apprehending Seizing and taking the Ships Vessels and Goods belonging to the King of Spain his Vassals and Subjects, or any Inhabiting within his Countreys Territorys, and Dominions within the west Indies. And forasmuch as, your s^{d} ship Calia — being of the burthen of ab^{t} two hundred Tuns, mounted with fourteen Guns, and otherwise armed ecquipped and furnished for the Service afore mentioned, you have made application to me that you may have lycense and Commission to attack, Seize, take, and make prize of, the Ships, Vessels, and Goods belonging to the King of Spain his Vassals and Subjects, Reposing therefore Special Trust and Confidence in your Loyalty, Courage, and good Conduct, I Do by these Presents accordingly authorize, Impower, & Commissionate you the said Joshua Newbold as Captain or Commander of the said ship Calia in and with the same and Company to her belonging to apprehend, seize and take the Ships Vessels and Goods belonging to the King of Spain his Vassals and Subjects in what Place soever you shall happen to meet them within the west Indies, their said Ships Vessels and Goods to take and make prize of, and your said ship Calia's Company are Commanded to obey you as their Captain : and your self in the Execution of this Commission, to observe and follow the orders & Instructions herewith given you ; and I do hereby request all Governors and Commanders in Chief of any of His Majestys Territorys, Islands, Provinces, or Plantations, where the said Captain or Commander shall arrive with his said —— and men, and all admirals, Vice admirals, and Commanders of His Majestys Ships of war, and others, that may happen to meet him at Sea, also all officers and Subjects of the Friends or Allies of His Sacred Majesty to permit him the said Captain or Commander, with his said —— and men, and the prizes that he may have taken freely and quietly to pass and repass without giving or suffering him to receive any Trouble or Hindrance, but on the contrary all Succour and assistance needfull. Given under my hand and Seal at arms at Boston the eleventh day of february 1739, in the thirteenth year of His said Majestys Reign —

By His Excellencys Command.

[No signature.]

[3–62]

[*Certificate Relative to Land Grants to Members of the Legislature.*]

Prov: of N-Hamp^{r} } May 17 1739—

These may Certify that Lieu^{t} Governor Wentworth, with the advice of His Majestys Council (Governor Shute being gone to England,) on the twentieth day of May — one thousand seven hundred and twenty-seven, Granted five Townships, and every Member of the House of Representatives at that time was made a Proprietor in each of the said Townships, and that Andrew Wiggin Esqr was then one of the Representatives and one of the Grantees of Each of the said Townships. —

Richd Waldron Sec^{y}

[Endorsed] Certificate of Richard Waldron respecting grant of Five Townships on the 20 May 1727.

17 May 1739.

[3–63]

[*Documents Relative to the Province Seal and its Use. Testimony of Secretary Waldron.*]

Richd Waldron Secretary of His Majestys Province of New Hampshire in New England Testifyeth that on or about the ninth or tenth day of the present Month (at the request of George Jaffrey & John Rindge Esq^{rs}) he the Deponent went to the House of Mr James Jaffry to compare & attest the Copys of the Assemblys Journals; That the said James Jeffry produced two bundles of papers which he called the Journals of the Assembly, and began to read one of them, while the Deponent look'd over and compared the other with what the said Jeffry read; That the Deponent observ'd several variances between what the said Jeffry read and what he the Deponent look'd upon, and mentioned them to the said Jeffry, to which the said Jeffry sometimes replyed that the Mistake was in the papers he was reading, and then he amended it, and sometimes that the Mistake was in what the Deponent look'd over, & then the Deponent amended it. That John Rindge Esqr took a turn at reading in the same Papers, which the said Jeffry had begun, and when the Deponent observed any Variances as he did sundry times to the said Rindge the said Rindge & the Deponent made amendments sometimes in the papers read and sometimes in the papers compared as

the said Jeffry and the Deponent had done before; In the next place Mr Thomas Packer had a spell at reading in the said papers, which the said Jeffry & Rindge had been reading in before and the said Packer amended the Papers he read several times and being once in doubt whether what he read should be amended or that which the Deponent was compareing, the said Packer said to the aforementioned James Jeffry, Prithee Jemmy go look upon the Original and tell us which is right whereupon George Jaffrey Esqr (who was present) said in a pet to the said Packer Is not what you are reading the Original, to which the said James Jeffry answered no, and added that he would go & look, and then went into another room and after a short tarry return'd, and said: what Mr Packer was reading was right, and the other must be mended. — The Deponent further saith he firmly believes The interpolations made by the said Mr James Jeffry John Rindge Esqr and Mr Thomas Packer, in the papers read unto him by them were not fewer than twenty and that he made about the same number of Amendments on the Papers he compared. He further saith that he often hath seen the Assembly Book in which their Journals used to be entered. But the Copys he attested were not compared with any Entrys in that Book (neither did he see that Book on the aforesaid day) but with papers which the Deponent never saw before that he knows of.

[3–63] [*Deposition and Letter of Richard Waldron.*]

The Deposition of Richard Waldron Secretary of His Majestys Province of New Hampshire In New England, Testifyeth that in the month of April anno domini 1728, Andrew Wiggin Esqr and Mr James Jeffry came to his house and desired him to give them a Certificate with the Province Seal that the said James Jeffry was clerk of the Assembly. That the Deponent answered they could not but know that the Governor was appointed by his Comission the keeper and user of the said seal, and therefore that they ought to have applyed to him for it, the Deponent adding, that he supposed this Application was made to him, on purpose to be denied by him and then for them to make matter of Complaint of it against the Governor that they could not get the Province seal: however he further told them he would write to the Governor and acquaint him with their application, and the Deponent did so within a day or two after and received an Answer thereto from His Excellency which he Communicated to them in a letter delivered with his own hand to the said James Jeffry on the first day of May 1738. — Copy of which Letter is as follows —

"To Andrew Wiggin Esq and Mr James Jeffry

Gentlemen: You doubtless remember that when you spoke to me at my house a wednesday last the twenty sixth of last month concerning a Certificate with the Province Seal I told you as it was then Post day I expected an answer from His Excellency that night touching what you requested, and that if you should think proper to come or send to me the next morning you might without any doubt know the Governors pleasure on that and accordingly by the Post on the said twenty sixth of April last I had the honour of receiving an answer from His Excellency to what I had wrote him the week before at your request, and His words are —

If the Speaker sends me an Attested Copy of the Vote of the House of James Jeffry's being chosen their Clerk, and Jeffrys sends me the papers to be annexed to his Certificate, I shall then sign a Proper Certificate that he is Clerk and not before, for I dont know that he is Clerk — I am Gentmn

your humble Servant

Richd Waldron

Portsmo May 1st 1738

Superscribed To Andrew Wiggin Esqr of Streatham Mr James Jeffry of Portsmouth."

The Deponent further saith that from the time of the Delivery of the said letter to the said Jeffry he the Deponent never heard one word from the said Wiggin or the said Jeffry touching a Certificate of the Province Seal, 'til the latter End of October last when the said Wiggin and Jeffry came again to his house and desired him to give them a Certificate with the Province Seal that the said Wiggin was Speaker of the House of Representatives; To which the Deponent replyed that he was ashamed for them, That they should play such mean and low games and make such triffling and frivolous attempts when they well knew it was not In his Power to grant what they demanded; Upon which Mr Wiggin asked the Deponent whether he would write to the Governor for them to which the deponent replyed he had wrote once for them already, and they might then have had what he wrote for but they would not and now they might write for themselves for he would not be their Tool again, since they would not accept what he had wrote for in their behalf before. He moreover told them the Governor would be in the Province in a few days, and then they might personally apply to Him if they saw meet. And the next week after this Conversation the Governor did Come into the Province but they made no Application to Him that the De-

ponent ever heard of during His Excellencys Stay in the Province which was twenty days —

Richard Waldron Secretary of His Majestys Province of New Hampshire in New England — Testifyeth That the Province Seal has been in his Custody by order of His Excellency Governor Belcher ever since His Excellencys takeing upon him the administration of Government in this Province and the said Waldron can not call to mind that ever he heard it was denyed to any Person that applyed to His Excellency for it, Moreover that the Deponent has wrote to the Governor more than a score of times (as he supposes) in behalf of Persons that wanted the use of the said Seal and upon Every application had an order to use it without the least demur or delay and that the sending to His Excellency from time to time for His order to use it has been always without any expence to the Person that wanted it. —

The Deposition of Richard Waldron Secretary of His Majestys Province of New Hampshire in New England Testifyeth that on or about the thirteenth day of November last at Portsmouth in the Province aforesaid he heard Theodore Atkinson Esqr desire His Excellency the Governor to authenticate 2 copys of a Will for him with Proper Certificates under the Province Seal the one to be sent to England and the other to the West Indies — To whom the Govr replyed ; Let the Copys be given to the Secretary and it shall be done immediately. That the Deponent heard nothing further of the said Copys 'til he was at Hampton on the 20th of said November waiting on His Excellency out of the said Province when and where a Gentleman delivered the Deponent a letter from the said Mr Atkinson inclosing the two Copys which the Deponent Communicated to His Excellency who was pleased to delay his proceeding on His journey on purpose to sign the said Certificates after the Deponent had written them —

Copys of the said Mr Atkinsons letter and the Deponents answer to him are as follows : —

" S^{r} — I could not obtain the inclosed Copys til late last night which obliges me to ask the favour that You'l give the proper Certificate that His Excellency may sign them before he leaves the Town haveing now an opportunity to forward them, the necessity of the case I hope will appollogize for it being out of time your favour in this will be acknowleged by Sr Your most obedient humble Servant,

Novr 19, 1738. Theodore Atkinson

Richd Waldron Esqr

Superscribed To the Honble Richd Waldron Esqr at Portsmouth." —

[3–63] [*Waldron to Atkinson, November,* 1738.]

"Sr Yours of the 19th present with the two Copys of the late Mr Pikes Will I Received yesterday at Hampton from Mr Russel. — I am afraid my asking His Excellency to sign the Certificates you desired when he was on a journey, and with his foot in the Stirrup was exposeing myself to the imputation of rudeness, however to oblige you I ventured to do it and he condescended to grant the request saying with all they should have been laid before him at Portsmouth or sent to him at Boston and not bro't him to be signed in his chase you have the said Certificates with the Province Seal affixed and the Copys annexed to them herein inclosed which I hope will answer Your purpose — I am S^r^ your most humble servant

Portsm^o^ Novr 21 1738 Richd Waldron

Theod^re^ Atkinson Esqr

Superscribed — To the Honble Theodore Atkinson Esqr Portsmouth"

[3–64] [*Governor's Orders respecting the Seal.*]

July 26 : 1732

It is my order y^t^ ye do not deliver the seal to the Lieu^t^ Govr or any body else, without my Special order

July 16 : 1733

You are to observe my former order about the Prov : seal

Novr 26 1733

Tis my order that you dont part with the seal, or affix it to any thing til said writing is first transmitted to me —

Sir, You are hereby order'd not to Suffer the Seal of the Province to go out of your Custody or to affix it to any Writing without my Special Leave and Direction

Given under my Hand at Boston April 21 : 1734 —

J Belcher

To the Hono^ble^ Richard Waldron Esq Secretary of His Majesty's Province of New Hampshire —

[3-65] [*President Walton's Demand of the Seal,* 1739.]

Province of New Hampshire April 26th 1739

Sr Application being made to me by the Honble George Jaffrey Andrew Wiggin Esqrs & Mr Thomas Packer for the Seal of the Province to be affixed to ye Journals of the House of Representatives for said Province

And pursuant to Orders of the Right Honble the Lords of the Comittee of Council for Plantation Affairs dated at White Hall the 9th of December 1738 and 30 january 1738 [O. S.] directing that the same be authenticated by the Governor or Comander in Chief in the said Province under the Seal of that Province

I do hereby as Comander in Chief (for the time being) in said Province of New Hampshire; demand the Public Seal of the said Province and direct you to put the same Seal to the Journals of the House of Representatives of said Province here presented by James Jeffry Clerk of the late House of Representatives for said Province and to authenticate the same in the usual form, the above Gentlemen paying you your fees

Sha. Walton

To Richard Waldron Esqr Secretary of the Province of New Hampshire —

[3-66] [*Secretary Waldron's Answer to Foregoing.*]

Honble Sir, In answer to your demand of the Province Seal to be annexed to the Assembly Journals I say if you'l please to order them to be left with me I will forward them to his Excellency the Governor by an Express with all possible dispatch and with a proper Certificate annexed in order to be authenticated under the Province Seal which is to be affixed by the Governor accordingly to the Express letter of the Order from the Right Honble the Lords of the Comittee of Council which you referr to & not by you which Order is exactly consonant to His Majestys Royal Commission which appoints the Governor Keeper and User of the Province Seal, and I take leave to observe to you the aforesaid order has no relation to me any otherwise than to require me to furnish with Copys & to attest them wch I was ever ready to do and challenge any man liveing to say the contrary, and am still ready to do so, and further I take leave to say if you or the Gentlemen that have applyed to you will not accept the offer I herein make the Application can be deem'd no other (in my humble opinion) than a vexatious intention agst ye Govr as sundry

former applications of like sort have proved to be and not a real design of obtaining the Seal moreover I must crave your Leave to express my Surprize at this Your extraordinary demand wherein you call your self Comander In Chief when you well know, it has been ever a settled point in the Province that no Le^{t} Governor or President was or could be Comander In chief by the Kings Comission while the Governor of the Province was at Boston and agreeable to this you doubtless remember you have several times voted In Council Your Self within this twenty years

I am Your Honours humble Servt R. W.

Ports^{o} April 26 1739 —

To the Honble Mr President Walton of New Hampshire —

This was read & delivered to Mr President Walton in Presence of Messrs Geo. Jaffrey Andrew Wiggin & Thomas Packer ℔ R. W.

April 26 1739

[3–67]

[*Atkinson and Others' Application to have the Seal Affixed to Certain Documents.*]

Province of Newhampshire April 27th 1739

Sr Pursuant to an Order of the Right Honble the Lords Comittee of Council for Plantation affairs Dated at White Hall 30th of Jan^{r} 1738 [O. S.] Impowering us to Examine and take out any Copys of Records &c. from the Journals of the House of Representatives of the Province of Newhampshire, and Minuits or Orders of Council &c.

We have obtained a Copy of the Journal of the said House of Representatives from the 25th August 1730 to the 17th day of November 1738 Certified by James Jeffry Cle^{r} of the Last assembly for Said Province, Which ℔ we have sent you: Desiring you to authenticate the Same (so far as Relates to your office of Secretary of s^{d} Province) in order to be Sent his Excell^{y} by Some of us (appointed as above) who are now Ready to go with the same to Boston: to Desier his Excell^{y} to Signe the same and order the Publick Seale of the Province to be put thereto.

Theodore Atkinson
J Rindge
Thos Packer

To Ric^{d} Waldron Esqr Secr^{y} of the Province of Newhampshire.

[3–68] [*George Jaffrey to Richard Waldron.*]

Sir In your answer to the Presidents Demand of the Province Seal yesterday ye 26th Inst. you were Pleased to offer to make a Proper Certificate to be annexed to the Journalls of the Assembly that they might be forwarded to His Excellency the Govr in order to be authenticated under the Province Seal according to the orders of the Right Honourable the Lords of ye Comitte of Councill for Plantation affairs Dat^d^ Decr 9th & Jany 30th 1738

The Said Journalls of ye assembly are now presented to you for the Proper Certificate to be annexed to them That they may forthwith be forwarded to His Excellency the Govern^r^ for the Purpose aboves^d^ and that neither the Govern^r^ nor any Body Else may make the application you in y^or^ s^d^ answer to the President Intimated. But be assured the Real Designe is to obtain ye Province Seal absolutly in obediance to the above said orders and not any Vexatious Intention against His Excell^y^ the Goven^r^ from — S^r^

Y^r^ very Humb^l^ Servt

Ge^o^ Jaffrey

New Hampsh^r^ portsm^o^ Ap^r^ 27th 1739

To Mr Secretary Waldron —

[3–68] [*Richard Waldron to George Jaffrey.*]

Gentlemen In answer to your request I will draw a proper Certificate that Mr James Jeffry was Clerk of the Assembly & forthw^th^ send it to the Govr by the post who will set out in an hour or two

I am Gent^n^ Yo^r^ hum Sev^r^ R. W.

April 27, 1739

To The Honble Geo Jaffery Esqr & Mr James Jaffry —

[3–69]

[*Petition to the Governor relative to Affixing the Province Seal to Certain Documents.*]

To his Excellency Jonathan Belcher Esqr Captain Genl and Govèrnour in Cheif in and over His Majestys Province of New Hampshire now resident at Boston in New England —

The Petition of George Jaffrey Theodore Atkinson John Rindge and Thomas Packer of Portsmouth in the Province of New Hampshire Esqr —

Whereas the Right Honourable the Lords of the Committee of Council for Plantation affairs by their order bearing date at the Council Chamber Whitehall the 9th day of December 1738 Directing That the Representatives of the s^{d} Province or their agent should be permitted to search and take copy of minutes & proceedings of the Governour and Council minutes and proceedings of the Council, minutes of the Council in assembly, and also minutes & proceedings of the assembly of the s^{d} Province, as to such points as they should think necessary to Support their petition of Complaint now depending before His Majesty in Council against your Excellency —

And whereas afterwards their afores^{d} Lordships by their order bearing date at the afores^{d} Council Chamber the 30th day of January 1738, ordered That your pet^{rs} George Jaffrey, Theodore Atkinson John Rindge and Thomas Packer Esq^{rs} or any other Person to be appointed by them, or either of them, be permitted to search for and take out the Copy of papers as directed by the afore recited order of the 9th of December and that the Secretary of the s^{d} Province do attest therin as true copys and that the Governour do affix the Seal of the Province thereto upon paying the usual fees for the same, whereof the Governour or Commander in Cheif and the Secretary of the s^{d} Province for the time being, as also all others whom it may concern, are thereby ordered to take notice and Govern themselves accordingly (as by the s^{d} two orders herewith produced to your Excellency under the Seal of the Council office may more fully appear) now your pet^{rs} humbly shew your Excellency That by virtue of the afores^{d} orders they have taken a copy of the Journals of the House of Representatives of the said Province from the 25th of August 1730 to the 17th day of November 1738, and the same is duly attested by James Jaffrey Gent^{n} the Clerk of the s^{d} House of Representatives, and that on the 26th day of this instant april in the absence of Your Excellency and David Dunbar Esqr His Majestys Lieut. Governour of s^{d} Province, your pet^{rs} applied to Shadrack Walton Esqr President of His Majestys Council for s^{d} Province and Comander in Cheif in the same, Praying him to cause the Province Seal to be affixed to the aforesaid Copys of the s^{d} Journals, and his Honour in obedience to the s^{d} orders went with your pet^{rs} to Richard Waldron Esqr Secretary of the s^{d} Province, who your pet^{rs} apprehended, had the custody of the s^{d} Seal and ordered him to affix the Province Seal accordingly to the s^{d} Papers, and your pet^{rs} at the same time produced to the s^{d} Sec-

retary the aforesaid two orders under the seal of the s^{d} Council office and Tendered him the usual fees for the affixing of the s^{d} Seal, but the s^{d} Secretary refused to affix the s^{d} Seal to the afores^{d} papers upon the s^{d} Presidents order and returned for answer vizt In answer to your demand of the Province Seal to be annexed to the assembly Journals I say, if you'l please to order them to be left with me I will forward them to his Excellency the Governour by an Express with all possible Dispatch, and with a proper Certificate annexd to them in order to be authenticated under the Province Seal — Now therefore your pet^{rs} are obliged thereupon to report to your Excellency at Boston humbly praying That your Excellency would pursuant to the afores^{d} orders of the 30th of January cause the Publick Seal of the s^{d} Province to be affixed to the afores^{d} Copys of the s^{d} Journals at Boston and Certify That the aforesaid James Jeffry is Clerk of the House of Representatives in the usual form of such Certificates, and order the afores^{d} Secretary to attest the s^{d} Certificate: or if the Province Seal is in the Custody of the s^{d} Secretary in the Province of New Hampshire That your Excellency would be pleased to give your pet^{rs} a written order to the s^{d} Secretary Directing him to affix the Province Seal to the afores^{d} papers and a duplicate thereof; and also one other order to the s^{d} Secretary to affix the s^{d} Province Seal to any Deposition or other papers relating to the s^{d} Complaint now depending before His said Majesty, which shall be presented to him by your pet^{rs} for that purpose and your pet^{rs} &c &c —

Geo: Jaffrey
Theodore Atkinson
J Rindge
Thos Packer

Portsmouth April 27th 1739

[3-70]

[*Order of Committee of Council, December* 9, 1738.]

At the Council Chamber Whitehall the 9th of Decr 1738.

By the R^{t} Hono^{ble} the Lords of the Committee of Council for Plantation Affairs.

Upon a Motion this Day made to their Lordships by the Soll^{r} for the Petition of Complaint of the Repres^{es} of the Province of New-Hampshire against Jon^{a} Belcher Esq Govr of that Province; praying to be allowed Copys of several Proceedings of the Govr Council, & Assembly of the said Province relating to the said Complaint, & to have the same authenticated under the Seal of the said

Province, upon paying the usual Fees for the same. — It is order'd by their Lordships, that the said Repʳˢ of the Province of N. Hampshire, or their Agent be permitted to search & take Copys of such Minutes and Proceedings of the Govʳ & Council, Minutes & Proceedings of the Council in Assembly, & Minutes & Proceedings of the Assembly of that Province, as they shall think necessary to support their said Complᵗ & that the same be authenticated by the Govʳ or Commʳ in chief in the said Province for the time being, under the Seal of that Province, upon paying the usual Fees for the same.

Whereof the Govʳ or Commʳ in chief of the sᵈ. Province for the time being, & all others whom it may concern, are to take notice, & govern themselves accordingly.

[3–71] [*Governor's Order relative to the Seal.*]

Sʳ I have receiv'd by Mʳ Thomas Packer an original order, of which the other Side is an exact Copy, as compar'd by the said Mʳ Packer, to which you are to conform yourself ; & having So done annex a Certificate with yᵉ Seal of the Province & Send it to me for my Signing.

Given under my Hand at Boston, April 30, 1739

J. Belcher

To the Honoᵇˡᵉ Richard Waldron Esqʳ Secretary of His Majestys Province of New Hampshire at Portsmouth.

if I have omittᵈ the year in yᵉ order I sent you do you supply it —

[*Petition of Thomas Packer for Certified Copies of Depositions Relating to the Boundary Line Controversy*, 1739. *From Hibbard Mss., Vol. III., p.* 169.]

To His Excellency Jonathan Belcher Esqʳ Captain General and Governor in Cheif in and over His Majestys Province of New Hampshire in New England.

Humbly Sheweth — Thomas Packer of Greenland within the Township of Portsmouth in the aforesaid Province Esqʳ That on the Twenty fifth day of last April he this deponent together with George Jaffrey, Theodore Atkinson and John Rindge Esqʳˢ waited on Richard Waldron Esqʳ Secretary of the said Province and by virtue of

two orders of the Right Honourable the Lords of the Committee of Council for Plantation affairs one of which is dated the Ninth Day of December 1738, and the other of 'em the Thirtieth Day of January 1738, Both which the Petitioner hath already delivered to your Excellency demanded of him Copies of the Minutes and Proceedings of your Excellency and the Council of the said Province at Hampton in the Months of August, September and October, 1737, touching the Settlement of the line between the said Province of New Hampshire and the Province of the Massachusetts Bay which copies they think necessary to support the Petition of Complaint of the late House of Representatives of said Province against your Excellency now depending before His Majesty in Council and that he would affix the Seal of the Province of New Hampshire to the same — to which the said Secretary answered that he had seen Coppys of the said two orders of Council Twenty Days before and would give attested Copys of the said Minutes and Proceedings : But could not affix the Seal of the said Province to any Papers without your Excellencys special Directions for so doing, having had orders from your Excellency not to affix the same without your Directions : And your Petitioner thereupon came to Boston to make application to your Excellency touching the matters aforesaid, and hath also brought with him Six Depositions tending to support the aforesaid Complaint against your Excellency all taken at Portsmouth in the said Province of New Hampshire, vizt One of them sworn by the aforesaid George Jaffrey on the Twenty seventh Day of last April before Jotham Odiorne Esqr. One of the Members of His Majestys Council and a Justice of the Peace for the said Province : Two others sworn on the same Day by the said George Jaffrey, and Theodore Atkinson before the said Jotham Odiorne; One other Person [Deposition ?] on the same day by the said Theodore Atkinson, before the said Jotham Odiorne and George Jaffrey, who is also another of the Members of his Majestys Council and a Justice of Peace for the said Province; One other Person by the said John Rindge Esqr on the Twenty sixth Day of the same April before the said Jotham Odiorne and George Jaffrey, and one other sworn by the said Theodore Atkinson, George Jaffrey, John Rindge and Andrew Wiggin Esqr late Speaker of the last House of Representatives of said Province ; all which Depositions your Petitioner now produces to your Excellency —

Now Therefore your Petitioner Prays, That your Excellency would give him a written order to the said Secretary directing him to affix the Seal of the Province of New Hampshire to the aforesaid Six Depositions and to annex a proper Certificate to the same to be

signed by your Excellency certifying the said George Jaffrey and Jotham Odiorne to be Justices of the Peace for the said Province of New Hampshire &c. And also to any other Depositions, which your Petitioner and the said George Jaffrey, Theodore Atkinson and John Rindge or any of them shall offer to him for that purpose paying the usual fees for the same; and also to affix the aforesaid Province Seal to the beforementioned Copies of Minutes and Proceedings of your Excellency and Council with a proper Certificate likewise annexed thereto, to be signed by your Excellency, and also to any other Copies of Minutes and Proceedings of your Excellency and the said Council, or of the House of Representatives of said Province, touching the matter of the aforesaid Complaint as your Petitioner and the said George Jaffrey, Theodore Atkinson and John Rindge or any of them shall offer to the said Secretary for that purpose, paying him the usual Fees.

And yo[r] Petitioner &c —

Boston May 7[th] 1739. Tho[s] Packer

[3–72]

[*Governor's Order to Secretary Waldron in Answer to the Foregoing*, 1739.]

Sir. According to an application made to me this Day by M[r] Thomas Packer for a Certificate that George Jaffrey & Jotham Odiorne Esq[rs] are Justices of the Peace in the Province of New Hampshire you are to make out such a Certificate, affix the Seal, & Send it to me to sign, & upon any further applications for the Seal by the Gentlemen mentioned in the Order of His Majesty's most Hono[ble] Privy Council of 30[th] Janu[a] last you are to draw such Certificates as may be desir'd, affix the Seal, & transmit them to me yourself, for I dare not consistent with the Trust repos'd in me by His Majesty suffer such Certificates with the Seal annext to be transmitted me by any body but yourself. — J. Belcher

May 7[th] 1739 —

To the Hono[ble] M[r] Secr[ry] Waldron of His Majesty's Province of New Hampshire, Portsmouth —

[3-73] [*Rindge, Packer, and Atkinson for Seal,* 1739.]

Portsmouth August 10th 1739.

In pursuance of the Order of the Lords Comittee of Council dated Jany 30th 1738, We desire you will affix the Seal of the Province, to Mr James Jaffrys affidavit that he waites on you with and Annex the Said affidavit and Seal & your Certificate (that he has been Clerk to the House of Representatives of this Province from the 25th of august 1730 to the 17th of November 1738) and that Jotham Odiorn & Joshua Pierce Esqrs before whom the Said Jaffry was Sworn, are Justices of the Peace for Sd Province, and we will forward it to the Govr to signe

J Rindge
Thos Packer
Theod Atkinson —

[3-74]

[*Copy of Instructions for Privateers in the War with Spain,* 1739.]

Instructions Given with Letters of Marque. —

GEORGE R — L. S. Instructions for such Merchants and Others who shall have Letters of Marque or Reprisals for Private Men of War against the King of Spain His Vassals and Subjects or others inhabiting within any of His Countries Territories or Dominions, by Virtue of Our Comission Granted under our Great Seal of Great Britian bearing date this twentieth day of July 1739.

Given at our Court at Kensington the twentieth day of July 1739, In the Thirteenth year of our reign —

1st That it shall be lawfull for the said Merchants and others authorized by Letters of Marque or Reprisals for Private Men of War to set upon by force of Arms and so subdue and take the Men of War, Ships and other Vessels what soever. As also the Goods Monies and Merchandizes belonging to the King of Spain his Vassals and Subjects and Others inhabiting within any of His Countries, Territories and Dominions: But so as that no Hostility be Committed nor Prize attacked Seized or taken within the Harbour of Princes or States in amity with Us, or in their rivers or Roads within shot of their Cannon.

2dly That the said Merchants and Others shall bring such Ships

and Goods as they have seized or shall so seize and take to such Port of this our Realm of England or some other part of our Dominions as shall be most convenient for them in order to have the same legally adjudged in Our High Court of Admiralty of England or before the Judges of such the admiralty's Court as shall be lawfully authorized within Our Dominions. —

3dly That after such Ships shall be taken and brought into any Port, The Taker shall be obliged to bring or send, as soon as possible may be Three or Four of the Principal of the Company (whereof the Master and the Pilot be always two) of every ship so bro't into Port, before the Judge of the Admiralty of England, or His Surrogate or Such as shall be lawfully commissionated in that behalf to be sworn and examined upon such Interrogatories as shall tend to the discovery of the Truth touching the interest or Property of such Ship or ships and of the Goods and Merchandizes found therein: And the Taker shall be further obliged at the time he produceth the Company to be examin'd to bring and deliver into the hands of the Judge of the Admiralty of England his Surrogate or others comissioned as aforesaid all such Passes, Sea-briefs Charter-Parties Bills of Lading Cockets Letters and other Documents and writings as shall be delivered up, or found on Board any such ships; the said Taker or one of his Chief officers who was present and saw the said papers and Writings deliver'd up or otherwise found on Board at the time of the Capture making Oath That the said papers and writings are bro't and deliver'd in as they were received or taken without any Fraud Addition Subduction or Embezzlement.

4ly That all such Ships Goods and Merchandizes taken by virtue of Letters of Marque and Reprisal shall be kept and preserved and no part of them shall be sold spoiled wasted or diminished and that the Bulk thereof shall not be broken before Judgment given in the said Court of Admiralty that the Ships Goods and merchandizes are lawful Prize; and that no person or persons taken or surprised in any ship or vessel as aforesaid though known to be of the Spaniards Party shall be in cold blood killed mained or by torture or Cruelty inhumanly treated contrary to ye common usage and just permission in such cases; And whosoever shall offend in any of the Premisses shall be severely punished. —

5ly That the said Merchants Commanders of ships and others who shall obtain the said Letters of Marque & reprisals as aforesaid for Private Men of War shall not do or attempt any thing against the true meaning of any Article or Articles Treaty or Treaties depending between Us, and any of Our Allies and shall not do or attempt

anything against Our loving Subjects or the Subjects of any Prince or State in amity with us nor against their ships Vessels or Goods but only against the King of Spain his Vassals and subjects and others inhabiting within his Countries Territories or Dominions their Ships Vessels and Goods. —

6ly That after Condemnation of any Prize it shall or may be lawful for the said Merchants and others to keep such and so many ships Vessels Goods and Merchandizes as shall be condemned to them for lawful Prize in their own Possession to make sale or dispose thereof in open market or otherwise to their best advantage in as ample manner as at any time heretofore has been accustomed in Cases of Letters of Marque and Reprisals ; other than wrought Silks Bengalls and Stuffs mixed with Silk or Iterba of the manufacture of Persia China or East India or Callicoes painted dyed, printed or stained there which are to be deposited for exportation according to the directions of an Act made in the Eleventh year of the Reign of the late King William Entitled an Act for the more effectual employing the Poor by encouraging the Manufactures of this Kingdom ; And that it shall be lawful for all manner of persons as well our Subjects as others according to Law to buy the said Ships Vessels Goods and Merchandizes, so taken and condemned for lawful Prize without any damage or molestation to ensue thereupon to the said Buyers or any of them by reason of the contracting or dealing for the same.

7ly That if any ship or vessel belonging to us or our Subjects shall be found in distress by being in fight set upon or taken by the Spaniards the Captain Officers and Company who shall have such Letters of Marque and Reprisals as aforesaid shall use their best endeavours to give aid and succour to all such ship or ships and shall to the utmost of their power labour to free the same from the Spaniards. —

8ly That Our Subjects and all other Persons whatsoever who shall either in their own persons serve or bear any Charge or adventure or in any sort further or set forward the said adventure according to these Articles shall stand and be freed by virtue of the said Letters of Marque and reprizals and that no Person be in any wise reputed or challang'd for an offender against our Laws but shall be freed under our Protection of and from all trouble and vexation that might in any wise grow thereby in the same manner as any other our Subjects ought to be by Law in their aiding and assisting us either in their own Persons or otherwise. —

9ly That the said Merchants and others before the taking out letters of Marque and Reprisals shall give notice in writing sub-

scribed with their hands to Our Comissioners for executing the office of our High Admiral of Great Britain or the Lieutenant or Judge of the said Court of Admiralty or his Surrogate of the name of their Ship and of the Tunnage and Burthen and the names of the Captains Owners or Letters out of the said Ship with the number of men and the names of the Officers in her and for what time they are victualled and also of their ordnance Furniture and Ammunition to the end the same may be registred in the said Court of Admiralty. —

10ly That those Merchants Captains and others who shall have such Letters of Marque and Reprisals as aforesaid shall hold and keep, and are hereby enjoyned to hold and keep a Correspondence by all Conveniences and upon all occasions from time to time with Our Comissioners for executing the office of High Admiral of Great Britain or their Secretary so as from time to time to render and give unto them not only an account or intelligence of their Captures or proceedings by virtue of such their Said Letters of Marque and Reprisals aforesaid ; but also of whatsoever else shall occur unto them or be discover'd or declared unto them or found out by them by Examination of or conference with any Mariners or Passengers of or in the Ships or vessels taken or by any other ways or means whatsoever touching or concerning the Designs of the Spaniards or any of their Fleets Ships Vessels or Parties ; and of the Stations Seas Ports and Places and of their Intents therein ; and of what Merchant Ships or Vessels of the Spaniards bound out or home as they shall hear of ; and of what else material in these Cases may arrive to their knowlege to the end such course may be thereupon taken and such orders given as may be requisite.

11. That No Commander of a Merchant Ship who shall have a letter of Marque or Reprisals shall presume as they will answer it at their Peril to wear any Jack Pendant or any other ensign or Colours usually borne by our ships but that besides the Colours borne usually by Merchant Ships they do wear a Red Jack with the Union Jack described in the Canton at the upper Corner thereof near the Staff and that one third part of the whole Company of Every such Ship or Vessel so fitted out as aforesaid shall be land Men. —

12. That such Merchants Commanders of ships and others who shall obtain such Letters of Marque and Reprisals as aforesaid shall also from time to time upon due notice being given them observe all such other Instructions and orders as we shall think fit to direct for the better carrying on of this Service.

13. That all Persons who shall violate these Instructions shall be severely punished and also required to make full reparation to Per-

sons injured contrary to these Instructions for all damages they shall sustain by any Capture Embezzlement Demurrage or otherwise. —

14. That before any such Letters of Marque and Reprisals Issue under Seal Bail with sureties shall be given before the Lieu[t] and Judge of our High Court of Admiralty of England or his Surrogate in the Sum of three thousand pounds Sterling if the Ship carries above one hundred and fifty Men ; and if a lesser number in the sum of fifteen hundred pounds sterling ; which Bail shall be to the Effect and in the form following. —

Which Day Time and Place Personally appeard.

Who submitting themselves to the Jurisdiction of the High Court of Admiralty of England, obliged themselves their Heirs Executors and Administrators to our Sovereign Lord the King in the Sum of pounds of lawfull mony of Great Britain to this Effect That is to say whereas is authorized by Letters of Marque or Reprisal for a Private Man of War to Arm Equip and set forth to sea the Ship called the of the burthen of about Tons whereof he the said goeth Captain with Men ordnance ammunition and victuals to set upon by force of Arms and to subdue seize and take the Men of war ships and other Vessels whatsoever together with the Goods Monies and Merchandizes belonging to the King of Spain or to any of his Vassals and Subjects or others inhabiting within any of His Countries Territories or Dominions whatsoever excepting only within the Harbours or Roads within shot of the Cannon of Princes and States in Amity with His Majesty. And whereas the said has a Copy of Certain Instructions approved of and passed by His Majesty in Council deliver'd to him to Govern himself therein as by the tenour of the said Letters of Marque or Reprisal and of the Instructions thereto relating more at large appeareth. If therefore nothing shall be done by the said or any of his Officers Mariners or Company contrary to the true meaning of the said Instructions, but that the letters of Marque or Reprisal aforesaid and the said Instructions shall in all Particulars be well and duly performed and observed as far as they shall the said Ship Captain and Company any way concern : And if they or any of them shall give full Satisfaction for any Damage or Injury which shall be done by them or any of them to any of His Majestys Subjects or Allies or Neuters or their Subjects ; And also if the said and his officers and Mariners shall duly and truly pay or cause to be paid to His Majesty or to such Person or Persons as shall be by His Majesty authorized to receive the

same the just Tenths or tenth part according to the due and legal appraisment of all such Ships and Goods as shall be by them or any of them taken or seized and shall be by due Course of Law adjudged to be good and lawful Prize: and also shall duly and truely pay or cause to be paid to His Majesty or the Customers or Officers appointed to receive the same for His Majesty the usual Customs due to His Majesty of and for all Ships and Goods so as aforesaid taken and adjudged for Prize: That then this Bail shall be void and of none effect; And unless they shall so do they do all hereby severally consent that Execution shall Issue forth against them their Heirs Executors and Administrators Goods and Chattels wheresoever the same shall be found to the value of the said sum of pounds before mentioned. And In Testimony of the Truth thereof they have hereunto subscribed their names

By His Majestys Command —

Holles Newcastle —

Copy of what was Given in by His Excellency Governor Belcher to register in the Secretarys office febry 1st 1739–40

Richd Waldron Secy

[For other documents relative to the war against Spain, see Vol. V., pp. 41–45, 47–52. — Ed.]

[3–75] [*Instructions to Privateers, November* 26, 1739.]

At the Council Chamber Whitehall the 26th of November 1739 —

Present

The Lords of His Majestys most Honourable Privy Council —

L. S. Whereas there have been formerly great Irregularitys in the manner of Granting Commissions in the Plantations to private Ships of War, and whereas for preventing the like for the future the Governors of His Majestys Colonys & Plantations in America are particularly required by their Instructions to govern themselves according to the Commissions & Instructions Granted in this Kingdom — It is therefore this day Ordered in Council that Copys of the Commissions & Instructions Directed by His Majesty to be Issued here upon occasion of the present War with Spain Be transmitted to the Governors or Commanders in Chief of all His

Majestys Colonys & Plantations in America for their guidance in this behalf and for their more particular information herein — It is further ordered that Copys of the Warrants issued by the Lords Commissioners of the Admiralty to the Judge of the High Court of Admiralty here requiring him to Grant the Commissions afore mentioned Be likewise transmitted to the said respective Governors, Copys of all which are hereunto annexed —

W Sharpe —

[Form for Letter of Marque.]

By the Comissioners for Executing the office of Lord High Admiral of Great Britain & Ireland &c[a]

Whereas by His Majestys Commission under the Great Seal of Great Britain bearing date the thirtieth day of November 1730, We are required and authorized to Issue forth and Grant Comissions to any of His Majestys Subjects, or others whom we shall deem fitly qualified in that behalf for the apprehending seizing & taking the Ships Vessels and Goods belonging to Spain or the Vassals and Subjects of the King of Spain or others inhabiting within any of his Countries Territories & Dominions and Such other Ships Vessels and Goods as are or shall be liable to Confiscation pursuant to the respective Treaties between His Majesty & other Princes States & Potentates and to bring the Same to Judgment in His Majestys High Court of Admiralty of England or Such other Court of Admiralty as Shall be lawfully authorized in that behalf, for proceedings and adjudication and Condemnation to be thereupon had according to the course of Admiralty & laws of Nations with other Powers in the said Commission expressed, a Copy whereof together with His Majestys Instructions under His Royal Signet and Sign Manual remains with you; these are therefore to will and require you forthwith to Cause a Commission or Letter of Marque to be issued out of the High Court of Admiralty unto Commander of the Ship called the burthen about Tons mounted with Guns and navigated with men to set forth in warlike manner the said Ship called the whereof the said is commander and to apprehend seize & take the Ships Vessels and Goods belonging to Spain or the Vassals & Subjects of the King of Spain or others inhabiting within any of His Countries, Territories & Dominions & Such other Ships, Vessels and Goods as are or shall be liable to Confiscation pursuant to the respective Treaties between His Majesty and other Princes States and Potentates according to His Majestys Commission & Instructions aforesaid —And you are to insert

therein a Clause enjoyning the s^d^ — to keep an Exact Journal of his proceedings & therein particularly to take notice of all Prizes which shall be taken by him the nature of such Prizes the time and Place of their being taken and the value of them as near as he can judge; as also of the Station, Motion & Strength of the Enemy as well as he can discover by the best intelligence he can get; of which he is from time to time as he shall have opportunity to transmit an Account to Our Secretary & to keep Correspondence with him by all opportunities that shall present. — Provided always that before you Issue Such Commission, Security be Given thereupon according as is directed by His Majestys Instructions aforementioned and hath been used in such Cases. —

The s^d^ Comission to continue in force until further order: For which this shall be your Warrant

Given under our hands and the Seal of the Office of Admiralty this day of 17

To Sir Henry Penvice Knight Judge of the High Court of Admiralty

By Command of their Lordships.

George the second by the Grace of God King of Great Britain France & Ireland Defender of the faith To all People to whom these presents shall come Greeting — Whereas We by Our declaration of the nineteenth day of October in the Year of Our Lord one thousand seven hundred & thirty-nine for the reason therein contained have declared War against Spain and Whereas We by Our Comission under Our Great Seal of Great Britain bearing date the thirtieth day of November following have willed required & Authorized Our High Admiral of Great Britain & Ireland &c^a^ for the time being and our Comissioners for Executing the Office of Our High Admiral of Great Britain & Ireland &c^a^ and the Comiss^rs^ for Excuting the s^d^ office for the time being or any three or more of them to Issue forth and Grant Comissions to any of Our loving Subjects or others whom our High Admiral aforesaid or our s^d^ Comissioners for Executing the s^d^ office and the Comissioners for Executing the same for the time being shall deem fitly qualified in that behalf for the apprehending Seizing and taking the Ships Vessels & Goods belonging to Spain or the Vassals & Subjects of the King of Spain or others inhabiting within any of his Countrys Territories & Dominions & Such other Ships Vessels & Goods as are or shall be liable to Confiscation pursuant to the respective Treatys between us and other Princes States and

Potentates and to bring the same to Judgment in our High court of Admiralty of England or such other Court of Admiralty as shall be lawfully Authorized in that behalf for proceedings and adjudication & condemnation to be thereupon had according to the Course of Admiralty and Laws of Nations and with such Clauses to be therein inserted & in such manner as by our s^{d} Commission more at large appeareth and whereas our s^{d} Comissioners for Executing the Office of Our High Admiral afores^{d} have thought fitly qualified who hath equipped furnished and victualled a Ship called the of the burthen of about Tons whereof he the said is Commander and whereas he the said hath given sufficient Bail with surties to Us in our s^{d} High Court of Admiralty according to the Effect & form set down in Our Instructions made the s^{d} thirtieth day of Novr one thousand seven hundred and thirty nine in the Thirteenth Year of Our Reign a Copy whereof is Given to the said Capt Know ye therefore that We do by these presents Grant Commission to and do license and Authorize the said to set forth in Warlike manner the s^{d} Ship called the under his own Command and therewith by force of Arms to apprehend Seize & take the Ships Vessels and Goods belonging to Spain or the Vassals & Subjects of the King of Spain or others inhabiting within any of his Countrys Territorys & Dominions & such other Ships Vessels and Goods as are or shall be liable to Confiscation pursuant to the respective Treatys between Us & other Princes States & Potentates & to bring the same to such Port as shall be most Convenient in order to have them legally adjudged in Our said High Court of Admiralty of England or before the Judges of such other Admiralty Court as shall be lawfully authorized within Our Dominions wch being Condemned it shall & may be lawfull for the s^{d} to sell & dispose of such Ships Vessels and Goods so adjudged & Condemned in such sort & manner as by the Course of Admiralty hath been accustomed Except in such cases where it is otherwise directed by Our s^{d} Instructions Provided always that the s^{d} keep an exact Journal of his proceedings and therein particularly take notice of all Prizes wch shall be taken by him the nature of such Prizes the times & places of their being taken and the values of them as near as he can judge as also of the Station motion & strength of the Enemy as well as he or his Mariners can discover by the best Intelligence he can get & also of whatsoever else shall occur unto him or any of his offic^{rs} or Mariners or be discovered or declared unto him or them or found out by examination or Conference with any Mariners or Passengers of or in any the Ships or Vessels taken or by any other Person or persons or by any other ways & means whatsoever

touching or concerning the designs of the Enemy or any of their fleets Vessels Partys & of their Stations Ports and Places & of their intents therin & of what Merchant Ships or Vessels of the Enemy bound out or home or to any other place as he or his officers or Mariners shall hear of & of what else material in these Cases may arrive to his or their knowledge of all which he shall from time to time as he shall or may have opportunity transmit an Account to our High Admiral of Great Britain for the time being or Our s^{d} Commissioners for executing the Office of Our High Admiral afores^{d} or the Commissioners for Executing that office for the time being or their Secretary & to keep a correspondence wth him or them, by all opportunitys that shall present and further provided that nothing be done by the s^{d} or any of his officers marriners & company contrary to the true meaning of Our fores^{d} Instructions but that the said Instructions shall be by them & each & every of them as far as they or any of them are therein concerned in all particulars well and duly performed & observed and We pray & desire all Kings Princes Potentates Estates and Republicks being Our friends and allies and all others to whom it shall appertain to give the s^{d} all aid assistance and succour in their Ports with his said Ship Company and Prizes without doing or suffering to be done to him any wrong trouble or hindrance We offering to do the like when We shall be by them thereunto desired and We will & require all Our officers whatsoever to give him Succour & assistance as occasion shall require —

In Witness whereof we have caused the great Seal of Our High Court of Admiralty of England to be hereunto affixed Given at London the day of in the year of Our Lord one thousand seven hundred and and in the year of Our Reign —

Instructions Given with Letters of Marque.

GEORGE R.

L. S. Instructions for the Commanders of such Merchant Ships and Vessels as may have Letters of Marque or Commissions for Private Men of War against the King of Spain his Vassals and subjects or others inhabiting within any of his Countrys Territories or Dominions by virtue of Our Commission Granted under the Great Seal of Great Britain Bearing Date the thirtieth day of Novr 1739 — Given at Our Court at St James's the Thirtieth day of Novr 1739 — in the thirteenth year of Our Reign —

[Then follow the articles of instruction, which do not differ materially from those printed in the document next preceding, and are consequently omitted here. The document is signed "By His Majestys Command — Harrington," and directed to Governor Belcher. — ED.]

[3-76] [*Committee to Invoice Stores at the Fort*, 1740.]

To The Honourable Joseph Sherburne and John Rindge Esq^{rs} —

You are hereby authorized and directed, to repair to His Majestys Fort William and Mary on the Great Island, as soon as may be with conveniency, and to take a view of the said Fort, and of all the stores of war thereon, and report to me the state and condition of the said Fort, & render to me an account of the said stores under your hand.

And the Honble Shad^{a} Walton Esqr Capt of the said Fort, is hereby ordered to receive you into the same, & to shew you the said Fort & Stores, in order to your effectual executing this war^{t}

Given under my hand at Portsmouth the thirteenth day of feb^{ry} 1739/40, & in the thirteenth year of His Majesty's Reign —

J. Belcher

[Committee's Report.]

In obedience & pursuant to the within order wee the Subscribers Did repair to his Maj^{ts} Ffort William & Mary on the great Island which with the stores therein was shewn to us by the Hon^{l} Shadrick Walton Esqr The state & acco^{t} of which is as underneath vizt: The walls on the S^{o} part of the Ffort verry much Broken & decayed the platform Rotten nine Gunns on that Line mounted and five of the Carriages very much decayed —

4 gunns mounted next ye flagg staff pointing to the S^{o} and one of the Carriages Rotten —

4 Gunns mounted at the E^{t} end of ye fort in good order — On the N^{o} side of the ffort 13 gunns mounted pointing up the river — the platform on which they stand & the Carriges good —

At the W^{t} end of the ffort on each side ye gate a gunn mounted but one of the Carriges Rotten —

Without the ffort 9 ffield pieces mounted in good order — The powder house in good order to receive Powder, with one half bb^{l} powder only therein with a bundle match & about a Ream Catrige paper

Nigh the powder house in the fort 4 pile of shoot about 1000 in N° & in ye old Guard house about 200 Shoot for ye field pieces —
The old Guard house very much decayed —
The gunners house much out of repair —
17 Small arms one of which only fitt for Present use —
21 Cattrige boxes 8 formers[1] 12 Ladles 4 Wormes 7 Spunge heads 6 Ramer heads 2 boxes of patridge shoot 20 aprons for the gunns 7 iron Crows 7 Crab hand spikes — The Century boxes all gone
Ffort William & Mary ffebr^y^: 14: 1739/40

Joseph Sherburn
J Rindge

[[1] Round pieces of wood used in making gun cartridges. — ED.]

[3-77] [*Instructions relative to War with Spain*, 1740.]

GEORGE R Instructions for Our Trusty & Well-beloved Jonathan Belcher Esqr Our Governor & Commander in Chieff in and
L. S. over Our Province of New Hamp^r^ in New England in America, or the Commander in Chief of Our said Province for the time being.

Given at Our Court at St James's the second day of April 1740 in the thirteenth year of Our Reign. —

Having been called upon by repeated provocation to Declare War against Spain, we are determined by Gods assistance in so just a Cause to vindicate the honour of our Imperial Crown to revenge the Injurys done to our subjects, to assert their undoubted Rights of Commerce and Navigation and by all possible means to attack annoy and distress a Nation that has treated Our People with such Insolence and Barbarity

1. — We have therefore Given Orders for the equipping and setting forth of an Expedition ags^t^ the Territories of the Catholic King in the West-Indies which will consist of a large Squadron of Our ships of War and of a Considerable Body of Our land Forces with a suitable Train of Artillery Store Ships and Transports The Fleet to be Commanded by Our Trusty and wellbeloved Edward Vernon Esqr Vice admiral of the Blue Squadron of Our fleet and Commander in Chief of Our Ships employed or to be employed in the West Indies, and the land Forces by Our Right Trusty and wellbeloved Charles

Lord Catchcart Major General of our Forces whom we have appointed Our General and Commander in Chief of the said Expedition. —

We have also determined to raise a Body of Troops in our Colonies on the Continent of North America to Joyn those to be sent from hence at a particular Rendezvous which will be appointed for that purpose and to act in Conjunction with them under the Command of Our said General in such Dispositions as shall be made for our Service. And altho' we have not tho't fit to fix any particular Quota for Our Province of New Hampshire under your Government because we would not set Bounds to their zeal for Our Service, yet considering the great number of Inhabitants in Our said Province and that they have of late years been much increased — We doubt not in the least but they will exert Themselves upon this occasion as far as the Circumstances of the Colony will allow being assured They cannot render a more acceptable Service to Us and to their Mother Country or do any thing more essential for their own Interest. —

2. — It is Our Will and Pleasure, That you do with the utmost Zeal and diligence promote and encourage so necessary a disposition for which purpose you will forthwith summon all our Councillors to attend you in Council and Communicate to Them these Instructions That they may be the better able to advise and assist you in the Execution of them and in the appointing of such officers for the Command of the several Companys to be raised as are known to be men of Interest in their Country and well disposed to Our Service. —

3. — It Is Our Intention That the Troops to be raised in our Province of N. Hamp^{r} shall consist of Companys of one hundred men each including four Serjeants Four Corporals and two Drummers besides their Commission Officers which shall be one Captain Two Lieutenants and an Ensign. —

But we have reserved to our selves the nomination of the Field and Staff Officers, and of one Lieutenant for each Company who will be men of experience in Service and sent from hence for their assistance to meet them at the General Rendezvous appointed in the West Indies. — Your Troops will likewise be furnished with one serjeant for each Company, by Draughts of old Soldiers out of the four Independent Companys at New York, for which purpose the necessary orders will forthwith be given : All the other officers are left to your nomination and you will receive Blank Commissions under our Sign Manual for Them, to be filled up with such Persons, as you shall think proper — taking the advice and even the recommendation of our Council therein so far as may be consistent with our Service and the dispatch requisite upon this subject.

But if the number of blank Commissions sent you upon this occasion shall happen to be more than the Companys raised in your Government do require you are hereby directed to return the remainder by the first opportunity to one of our Secretarys of State and you shall return a list of the officers whose names you shall have inserted in any Commissions by virtue of these Our Instructions To whom the same shall be delivered free of all Charges and without Fee Gratuity or reward upon pain of Our highest Displeasure. —

4. — You are likewise Directed forthwith to Issue a Proclamation giving notice of our Royal Intentions in this behalf inviting our good subjects chearfully to enlist in our Service and assuring them That the Troops to be raised in pursuance of these our Instructions as well officers as Soldiers shall enter into Our Pay and enjoy the same rank and pay with the rest of our British Troops so long as they shall continue in our service. —

5. — And that you may be the more fully informed of Our pleasure with respect to the Troops to be raised in your Province we have thought fit to declare That all the Serjeants Corporals Drummers & private Soldiers shall be Entitled to receive our pay from the respective days on which They shall be enlisted pursuant to such Certificates as you shall judge sufficient for that Purpose, and that the Commission officers shall enter into pay from the day their Commissions bear date. — And they shall take Post and rank in the respective Battalions into which they shall be formed according to the Date of the Certificates by which it shall appear when each Captain respectively had Completed his Levys. —

6. — And as a further encouragement to such officers and Soldiers as shall engage in the present Expedition you may assure Them in our Royal Name that the Soldiers shall not only be Cloath'd and armed according to the samples that will be sent herewith and furnished with Tents & entertained in our pay but that after their arrival at the General place of Rendezvous They shall be provided for in every other respect as our British Troops That They shall likewise have their just share and proportion of all plunder or Booty gained or taken from the Enemy according to Their services and if by the Blessing of God upon our arms any of the Enemy's Lands or Settlements shall fall into our hands Our American Troops shall have a share thereof as well as the rest of our Forces in preference to all other Persons that shall not have engaged in the present Expedition.

7. — And we do further declare, That so soon as the present Expedition shall be determined whatever the success thereof may be all the

Troops raised in Our American Colonys for this purpose, as well officers as Soldiers shall have free leave to return to their respective Provinces and shall be Transported thither at our expence except those only that shall chuse for their own advantage to settle or remain in such places or Garrisons as may fall into our hands where they shall receive all due Encouragement and the Soldiers whether they remain there or Return home after the said Expedition shall retain their Arms and Cloathing. —

8. — But we Trust and Expect That Our Assembly of New Hampshire will provide victuals Transports and all other necessary's for the Troops to be raised in our Province except their Cloaths Tents Arms Ammunition and pay till their arrival at the General Rendezvous in the West Indies from which time the said Transports shall enter into our Pay.

And you are hereby directed without loss of time to recommend to the said Assembly in Our Name to make such Provision that the Expedition may not be retarded for want thereof. —

9. — We recommend to you Also to Engage such Persons within your Province in the present Expedition both for the Transport and land service as have at any time been resident in or have a particular knowledge of the Spanish Ports Coasts or Settlements in the West Indies and you may assure such as are able Pilots for the said Coasts That their service shall meet with all suitable encouragement. —

10. — And that nothing may be wanting on our part towards the promoting and compleating of this important design we have thought fit to appoint our Trusty and wellbeloved Major General Alexander Spotswood to be Quarter Master General of all our Forces in this Expedition, and to take upon him the Command Conduct Discipline Disposition and Embarkation of our American Troops so soon as they shall be raised. You are therefore from Time to Time to correspond confer and advise with the said Major General Alexander Spotswood in all matters that may tend to the promoting these Levys and the Completion of our Design. —

11. — We have also thought fit to dispatch our Trusty and wellbeloved Colonel William Blakeney from hence whom we have appointed to be adjutant General of all our Forces to be employed in the present Expedition with samples of Cloaths and also with arms ammunition and other necessary's for the use of our American Troops ; and whatever may be further wanting shall be sent them either before their Embarkation or shall meet them at the General Place of Rendezvous in the West Indies. And as we repose especial Trust and

Confidence in the said Col° Blakeney it is our Pleasure That you should admit him also into all your Consultations relative to these Instructions whenever He shall be within your Precincts.

12. — We depend upon your punctual Complyance with these our Instructions We recommend the several matters therein contained to you our Govr to our Council to our Assembly and to all other our good subjects in New Hamp^r^ so far as may concern Them respectively. And we do expect that you should, by the first, and every other occasion that may offer send us a full and clear account of your proceedings herein by letter Directed to one of our Secretarys of State.

G. R.

[Endorsed] Kings Instructions dated April 2^d^ 1740 To Govr Belcher as Govr of N. Hamp^r^

Copy'd July 3, 1740 ℔ R. Waldron Sec'y

[Sent to the House by Governor Belcher, August 1, 1740. See Vol. V., p. 69. — Ed.]

[3–78]

[*Governor Belcher's Proclamation concerning the War with Spain, April* 29, 1740.]

By His Excellency Jonathan Belcher Esqr Governor and Commander in Chief in and over His Majesties Province of New Hampshire in New England.

A Proclamation.

Whereas His Majesty hath tho't fit to declare war against Spain, and being determined by all possible means to distress and annoy the Spaniards in the most effectual manner; and particularly, by making an attempt upon some of their most considerable settlements in the West Indies, hath been pleased for that purpose to order a large body of Troops under the command of the Right Honourable h e Lord Cathcart a Major General of His Majestys forces with a Sufficient convoy of men of war to proceed from great Britain to a proper place in the West Indies to be appointed for that purpose there to be joyned by the squadron under the command of Vice-Admiral Vernon, and by such a number of troops as may be raised in His Majesty's Colonys and Islands in America to be commanded by the Honourable Colonel

Spotswood, an able experienced officer of Great merit, who has resided amongst His Majesties subjects in America for twenty five years past and has his estate fixed in this part of the world, and on whom therefore the soldiers to be enlisted may depend for all acts of Justice and kindness.

In obedience therefore to His Majesty's Commands to me given to encourage the raising a number of troops within this Province for the service aforesaid, and to make the proper dispositions thereunto — I have tho't fit with the advice of His Majesties Council to issue this Proclamation, to make known His Majesties gracious intentions and declarations, for the encouragement of all able bodied effective men, that are willing to enlist themselves in this service for the expedition aforesaid; That they shall be supplyed with arms & proper cloathing and be paid by His Majesty, and have their share of any booty which shall be taken from the enemy, be sent back to their respective habitations when the service shall be over, unless any of them shall desire to settle themselves elsewhere, and that His Majesty will order a number of blank Commissions to be given by me to the officers that shall command the troops to be raised in this Province. — And for the better encouraging of this affair all Volunteers that shall enlist and proceed in this service shall be exempted from all impresses for three years next after their return. —

And all such able bodied effective men being His Majesty's Subjects, who are willing to engage in the said service are directed to enter their names with the Captains or Commanding officers of the Companys of Militia to which they respectively belong, or where they reside. —

Given at the Council Chamber In Portsmouth, the twenty ninth day of April 1740, In the thirteenth year of the Reign of Our Sovereign Lord George the Second by the Grace of God, of Great Britain France & Ireland King, Defender of the faith &c. —

J. Belcher

By order of His Excellency the Govr with the advice of the Council — Richd Waldron Sec^{ry}

God save the King

[Endorsed] Proclamation to encourage Volunteers to enlist into His Majesties service Apr^{l} 29, 1740.

[The foregoing is copied from the original document. Other papers relative to the declaration of war against Spain may be found in Vol. V., pp. 41–52. — Ed.]

[3–79]

[*Instructions to Governor Belcher to Issue Letters of Marque, May 20, 1740.*]

By the Commissioners for Executing the office of Lord High Admiral of Great Britain & Ireland &c.

L: S: Whereas by an act passed the last session of Parliament, entituled an act for the more effectual securing and encouraging the Trade of His Majestys British Subjects to America and for the encouragement of Seamen to enter into His Majesty's service, It is amongst other things therein enacted, That any Person or Persons in any part of America or elsewhere by us impowered and appointed shall from and after the fourth day of January one thousand seven hundred and thirty nine [1740 N. S. ?] at the request of any British owner or owners of any ship or vessel, giving such bail and security as have been usually taken upon granting Commissions or letters of Marque except onely for the payments of the tenths of the value of prizes which shall be taken to the Lord High Admiral or Commissioners for Executing the office of Lord High Admiral for the time being cause to be issued forth in the usual manner one or more commission or commissions to any Person or Persons whom such owner or owners shall nominate to be Commander or in Case of death successively commanders of such ship or vessel for the attacking surprizing seizing and taking by and with such ship or vessel, or the Crew thereof any place or fortress upon the Land or any Ship or Vessel, Goods, Ammunition, Arms, Stores of War; or Merchandizes belonging to, or possessed by any of His Majesty's Enemys, in any Sea, Creek, Haven or River: — These are therefore to impower you Jonath^{n} Belcher Esqr Captain General and Governor in Chief of His Majestys Provinces of the Massachusetts Bay & New Hampshire, and by these Presents, We do impower and appoint you the said Jonathan Belcher Esqr to Cause to be Issued forth, pursuant to the said act, by Warrant under your Hand and the Seal of the said Provinces of Massachusetts Bay & New Hampshire directed to the Judge of the Admiralty of the said Provinces, Commissions or Letters of Marque at the request of any British owner or owners of any Ship or Vessel to any Person or Persons whom such owner or owners shall nominate to be Commander, or in Case of death successively Commanders of such Ship or Vessel and to cause such bail and security to be taken as is directed by the said act; and moreover to Cause that in granting such Commissions or letters of Marque all other things be had and done conformable to and as the said act requires. For which

this shall be your warrant. Given under our hands and the seal of the office of admiralty, the 20th of May 1740.

Th : Lytleton
Tho : Clutterbuck
H : Powlett

To Jonathan Belcher Esqr Capt. General and Governor In Chief of His Majesty's Provinces of the Massa Bay and New Hampr In America —

By Command of their Lordships — J Burchet [?]

Copy from the original, examined March 10th 1740–1

℔ Richd Waldron Secry

[Endorsed] Instructions from the Lds of the Admiralty To Govr Belcher May 20 : 1740 —

[3–80]

[*Governor Belcher's Proclamation to Encourage Enlistments in the Service against Spain, July* 11, 1740.]

By His Excellency Jonathan Belcher Esqr Governor & Commander In Chief in and over His Majesty's Province of New Hampshr in New England.

A Proclamation.

Whereas His Majesty has been pleased by His Instructions to me under His royal Sign manual, bearing date the second day of April last to signify that in the prosecution of the war against Spain, he is determined by GOD'S assistance in so just a cause to vindicate the honour of His imperial Crown, to revenge the injuries done to His Subjects to assert their undoubted rights of commerce & navigation and by all possible means to attack annoy and distress a nation that has treated his people with such insolence and barbarity ; and has therefore given orders for equipping and setting forth an expedition against the territorys of the Catholic King in the west Indies to consist of a large Squadron of His Majestys Ships of war under the command of the Honorable Edward Vernon Esqr Vice Admiral of the blew Squadron — and a Considerable body of land forces to be commanded by the right Honorable Charles Lord Cathcart Major General of His Majestys forces as General and Commander In Chief of the said expedition, and that he has determined to raise a body of troops in His Colonys

on the Continent of North America to joyn the other troops at a particular rendezvous which will be appointed for that purpose, and to act in conjunction with them under the Command of the said General; and that altho' His Majesty has not tho't fit to fix any particular Quota for this Province, because he would not set bounds to our zeal for His service, yet he is graciously pleased to express His royal confidence in us, that considering the great number of Inhabitance in this Province, and that of late years they have been much increased, we will exert ourselves on this occasion; as far as the circumstances of the province will allow, assuring us, that we cannot render a more acceptable service to him, and to our mother Country or do anything more essential for our own interest. — *And whereas* His Majesty hath Commanded me that I do with the utmost zeal and diligence promote and encourage so necessary a disposition, and that I forthwith issue a proclamation giving notice of His Royal Intentions in this behalf, and for inviting His good Subjects in this Province chearfully to Enlist in that Service. — I have therefore tho't fit with the advice of His Majestys Council to Issue this proclamation hereby to make known His Majestys pleasure in this affair, and the following encouragements He is graciously pleased to give to such able bodied effective men as shall enlist in the said service (vizt) That each Company shall consist of one hundred men including four Sergeants four Corporals and two Drummers, besides Commission officers, which shall be one Captain two Lieutenants and an Ensign; His Majesty reserving to himself the nomination of the field & staff officers of the said forces, and one Lieutenant for each Company to be a man of Experience, to be sent from Great Britain to meet the Company at the General rendezvous, and that each Company shall be furnished with one Serjeant to be drawn out of the old Soldiers of the independent Companys in New York; and that the rest of the officers are left to my nomination, and I daily expect blank Commissions under His Majesty's sign manual which will be filled up by me & delivered free of all charge to such Commission officers; That the Troops to be raised in pursuance of these His Majesty's Instructions as well officers as soldiers shall enter into His Majesty's pay, and enjoy the same rank and pay with the rest of His Majestys troops, so long as they shall continue in His service; That all the Sergeants Corporals Drummers & private soldiers, shall be entituled to receive His Majestys Pay from the respective days they shall be enlisted, and the officers from the day their Commissions bear date; which officers shall take post & rank in the respective battalions in which they shall be formed according to the date of the Certificates by which it shall appear when each Captain respectively had compleated his Levys;

and as a further Encouragement to such officers and soldiers as shall engage in this Expedition, I do assure them in His Majestys name that the soldiers shall not only be cloathed and armed according to such samples as His Majesty has ordered to be sent from Great Britain and furnished with tents and entertained in His Majestys Pay, but that after their arrival at the General place of rendezvous, they shall be provided for in every other respect as His Majesty's British Troops ; and that they shall have their just share and proportion of all plunder or booty gained or taken from the enemy according to their services ; and if by the blessing of God upon His Majesty's arms any of the enemies lands or settlements shall fall into His Hands, The American Troops shall have a share thereof as well as the rest of the forces in preference to all other Persons that shall not engage in this Expedition ; and that so soon as the said Expedition shall be determined, whatever the success thereof may be, all the troop raised in the American Colonies for this purpose as well officers as soldiers shall have free leave to return to their respective Provinces, and shall be transported thither at His Majesty's expence except those only that shall chuse for their own advantage to settle or remain in such places or Garrisons as shall fall into His Majestys hands, where they shall receive all due encouragement ; and the soldiers whether they remain there or return home after the said Expedition, shall retain their arms and cloathing. — And particularly that all such Persons as are able Pilots for the Spanish Coasts and harbours shall meet with all suitable encouragement from His Majesty —

And to the intent that all Persons proposing to engage in the said service, may have their election of the Captains in whose Companys they would enlist ; I shall order the names of the Captains and other Commission officers to be appointed by me for this service to be printed in the weekly newspapers —

Given at the Council Chamber In Portsmouth the eleventh day of July 1740 in the fourteenth year of the reign of Our Sovereign Lord George the second by the Grace of God of Great Britain France and Ireland King, Defender of the faith &c —

J. Belcher

By order of His Excellency the Govr with the advice of the Council —

Richd Waldron Sec^{ry}

God Save the King —

[Endorsed] Second Proclamation to Encourage Enlistments of Volunteers agst N Spain July 11, 1740 —

[3–81] [*Account for the Intended West Indian Expedition.*]

The Accomptants make themselves Dr.
to the Province of New Hamp^{r} for the sum of Five Hundred Pounds Cash Taken out of the Treasury by order of the Genl Court on the Intended Expedition to the Westindies how they Discarge the same vizt:

1740 To Cash of Mr Treasurer Sherburne as p^{r} Rect. 500. 0. 0

Contra Cr.

By Col^{l} Joseph Sherburne . . .	£115. 3. 1	
By Ellis Huske Esqr	115. 3. 1	
By Capt Thos Wallingford . . .	119. — —	
By Hunking Wentworth	103. 6. 2	
By p^{d} Capt John Eyre & his men & other Expences on the Intended Expedition to the Westindies .	47. 7. 8	
		500. 0. 0

Province New Hamp^{r} D^{r} to Cash p^{d} Soldiers that Inlisted themselves for the West Indies 1740

P^{d} Capt Jno Eyre	£6. 0. —	P^{d} Jno Loggin .	5. 2. —
P^{d} Jo. Prescut .	4. 16. —	Jno Hubart .	2. 10. —
Wm Wallingford	2. 10. —	John Leighton .	2. 10. —
Thos Crocket .	4. 19. —	Mich^{l} Fulker .	3. 12. —
Danl Welch .	3. 6. —		
			35. 5. —
P^{d} Mr Slayton's Exp^{s}			4. 2. 8
P^{d} the Comittee for attendance sundry times . .			8. — —
			£47. 7. 8

[3–83]

[*King's Instructions relative to the Value of Foreign Coin, and Prohibiting the Issue of Bills of Credit,* 1740.]

By the Lords Justices —

Jo: Cant
Hardwick: C:
Wilmington, P:
Harvey C: P: S:
Grafton
Montague

Additional Instructions To Jonathan Belcher Esqr Governor and Command^{r} In Chief, in & over His Majesty's Province of N. Ham^{r} in New England in America — or to the Command^{r} In Chief of His Majesty's said Province for the time being —

L: S: Given at Whitehall the fifth day of August 1740, in the fourteenth year of His Majesty's Reign —

Whereas an act of Parliament was passed in the sixth year of Her late Majesty Queen Ann, entituled an act for ascertaining the rates of foreign Coins in Her Majestys plantations in America, which act the respective Governors of all the plantations in America have from time to time been instructed to observe, and carry into due execution, & whereas notwithstanding the same, complaints have been made that the said act has not been observed as it ought to have been in many of His Majesty's Colonys and Plantations in America by means whereof many indirect practices have grown up and various & illegal currencies have been introduced in several of the said Colonys and Plantations contrary to the true intent and meaning of the said act, and to the prejudice of the trade of His Majestys subjects in consequence of which, complaint was presented the last session by the House of Commons to His Majesty that He would be graciously pleased to require and Command the respective Governors of His Colonys and plantations in America effectually to observe His Majestys Royal Instructions directing them that the act of the sixth year of the reign of Her Majesty Queen Ann entituled an act for ascertaining the rates of foreign coins in Her Majesty's Plantations in America be punctually and bona fide observed and put in execution according to the true intent and meaning of the s^{d} act.

It is therefore His Majestys Royal Will and pleasure, and you are hereby strictly required and commanded under pain of His Majesty's highest displeasure, and of being removed from your Government, to take the most effectual care for the future, that the said act be punctually and bona fide observed, and put in execution according to the true intent and meaning thereof, and to the end that His Majesty's commands herein may be fully made known to all his subjects within your Government, and that none of them may pretend ignorance thereof, you are hereby further required and Commanded to publish this Instruction in such manner as may best answer His Majesty's gracious intentions herein signified. —

And Whereas for preventing the many and great inconveniencies, that had arisen in some of His Majestys Colonys and Plantations in America by passing laws for striking Bills of Credit and issuing out the same in lieu of money, the respective Governors and Commanders in Chief of His Majesty's Colonys and Plantations for the time being have been particularly instructed not to give their assent to or to pass any such laws for the future, without a Clause be inserted in such act declaring that the same shall not take effect until the said act shall have been approved and confirmed by His Majesty His Heirs or Successors ; *and whereas* notwithstanding such His Majesty's commands to the said Governors in that behalf, Paper Bills of

Credit have been created, and issued in His Majesty's s[d] Colonys and Plantations by virtue of acts of Assembly there making it obligatory on all persons to take such Bills of Credit, in payment for debts dues and demands — whereby the good intention of the aforementioned act of the sixth of Her late Majesty Queen Ann for ascertaining the rates of foreign coins in Her Majesty's Plantations in America has been frustrated, and a great discouragement has been bro't on the Commerce of this Kingdom by occasioning a Confusion in dealings and a lessening of Credit in those parts, *and whereas* an humble address was presented, the last session by the House of Commons, to His Majesty that he would be graciously pleased to require and Command the respective Governors of His Colonys and Plantations in America punctually and effectually to observe His Majesty's Royal Instructions not to give assent to or to pass any act whereby Bills of Credit may be issued in lieu of money without a Clause be inserted in such act declaring that the same shall not take effect until the said act shall be approved by His Majesty —

It is therefore His Majesty's Will and Pleasure — and you are hereby also further required and commanded under pain of His Majesty's highest displeasure, and of being removed from your Government punctually and effectually to observe His Majesty's Royal Instruction not to give assent to or pass any act whereby Bills of Credit may be Issued in lieu of money without a Clause be inserted in such act declaring that the same shall not take effect until the said act shall be approved by His Majesty His Heirs or Successors —

J.C: H C: W P: H C–P–S: M:

Copy from the original Examined

℔ Rich[d] Waldron Sec[y] Feb: 1740–1

[Endorsed] Instructions ab[t] Paper Bills of Credit Dated 5 Aug[st] 1740.

[3–84]

[*Report Favoring the Appointment of a Governor for New Hampshire separate from Massachusetts*, 1740.]

To the Right Hon[ble] the Lords of the Committee of His Majestys Most Honourable Privy Council

My Lords

Pursuant to your Lordships order of the 5[th] Instant we have taken into our Consideration the Petition of Joseph Gulston Merchant and

Contractor for supplying Masts for the Royal Navy, Benning Wentworth one of His Majestys Council for the Province of New Hamp^{r} and Richard Chapman and John Tomlinson Merchants in behalf of themselves and sundry other Persons interested in and Trading to His Majestys said Province of New Hamp^{r} humbly Praying for the reasons therein contained that the said Province of New Hampshire may be forthwith separated from being under the same Govr with the Province of the Massachusetts Bay, and Directing us to call all Persons therein Concern'd before us & to make particular enquiry whether the sense of the Assembly has been accordingly taken upon this point and make report thereof to this Committee together with our opinion whether we still conceive it advisable for His Majesty to Cause the Government of that Province to be separated from the Massachusetts Bay — *Whereupon* we take leave to inform your Lordships — That we have been attended on this occasion by the said Petitioners and several others interested in and Trading to the said Province of New Hamp^{r} together with Mr Paris their Sollicitor and also by Mr Belcher * in behalf of the Govr of the Massachusetts Bay and having heard what they had to offer, and an authentick copy of the original vote of the Assembly of the 1st of August last under the Seal of the Province having been laid before us in which they appoint Mr Thomlinson their Agent and empower him humbly to represent to His Majesty that this so long distressed tho' Loyal Province may at last be made happy under a separate Governor from that of the Massachusetts Bay and that he would be graciously pleased to appoint a Governor over this Province separately whose Inclination & Interest may be to keep it from sinking and to promote the prosperity and welfare thereof which we apprehend is the only way to make it a flourishing and useful Colony. — We cannot doubt but this is the sense of the Assembly upon this head and therefore see no reason to alter our former opinion that it will be for the good of that Colony and for His Majestys service that the Government of New Hampshire should be separated from that of the Massachusetts Bay.

We are My Lords your Lordships
Most obedient and Most humble Servants

Monson
Edwd Ashe
R. Plumer

Whitehall Decr 19th : 1740—

[The signatures have the appearance of autographs. The document is indorsed in Waldron's hand, "Report for a separate Govr Dec^{r} : 19, 1740." — Ed.]

* Governor Belcher's son.

[*Governor Belcher's Address to the Assembly, February* 27, 1740–41.]

[Copied from the English Archives.]

His Excellency the Governor was pleased to open the Session with the following speech to both Houses.

Gentlemen of the Council and of the House of Representatives — I have received His Majesties Royal Pleasure in two additional Instructions, one respecting the future of Bills of Credit in this Province, the other for carrying into execution His Majesty's determination in Council on the boundaries betwixt this Province and that of the Massachusetts Bay which the Secretary shall lay before you.

As to the Instructions respecting the boundaries, I urged upon the Assembly of the Massachusetts Bay in their late session to do what was reasonable therein on their part but they came into no other resolution than to postpone the consideration of the matter to May next: I therefore now earnestly recommend it to you as the first thing to be done, to make provision for defraying the charge of carrying into execution His Majesty's Royal orders in this behalf, and since the season is so suitable for effecting the matter you ought to suffer no delay in what is to be done on your part, when nothing shall be wanting on mine, to go through with the affair in the most expeditious manner.

You well know the ruinous condition which the onely Fort in the Province lies, and has done for many years past, and which I have from year to year press'd upon the several Assemblys to make proper provision for putting into a good state for defence, (tho' to little or no purpose,) but I shall onely say to you, I think your own security at this dangerous and critical conjuncture (of an expected French war) demands your immediate care in this important article.

Gentlemen of the House of Representatives you will look into the state of the Treasury, and make the needfull supply for paying the debts contracted by the Legislature and for the further necessary support of the Government.

Gentlemen of the Council and of the House of Representatives — I have lately received a letter from the Honorable Edward Vernon Esqr Vice-Admiral of His Majesty's Blew squadron and Commander in Chief of His Majestys Ships in the West Indies, desiring no Vessel may be cleared from the office in this Government that may have provisions on board til they have given bond to land them in some part of His Majesty's Dominions: This letter shall be communicated to you and I shall not doubt your bringing forward a Bill to be past into a Law to put an effectual stop to the exportation of any

provisions from hence, but where security is given for landing them in some of His Majesty's teritories.

You are not ignorant Gentlemen of a combination of Persons in the neighboring Government, who are attempting to emitt a large quantity of stamped paper to pass in lieu of money, to which they have given the name of Manufactory Notes, and of these they have already Issued something considerable.

The scheme projected for carrying forward this extraordinary affair having been made publick I need not tell you upon how base and fraudulent a foundation they have sent out their notes; Nor are you strangers to what has been done by the Government at home for suppressing this unjust and unreasonable undertaking.

I therefore hope you will do what is necessary with you, to forbid all Persons in this Government on severe penaltys from encouraging or countenancing the said notes directly or indirectly.

Gentlemen If you have anything to suggest to me for His Majestys service and the welfare of the Province I shall chearfully fall in with such good purposes.

Feb: 27, 1740, 1 J. Belcher

[The foregoing is the speech referred to in Vol. V., p. 74, as "cannot now be found." It was copied from the English archives, in London, for the New Hampshire Historical Society in 1887. — Ed.]

[3-85]

[*Copy of Admiral Vernon's Letter, Mentioned in the Foregoing.*]

Port Royal Jamaica 13th Novembr 1740.

Sir/ An opportunity offering by one of our Contractors Mr Tickells Vessells bound to New York, I could not slip the opportunity of informing your Excellency of the arrival in these Seas not only of the Large Squadron of Twelve Spanish Men of War from 80 to 60 Guns but likewise of Two as large Squadrons of French Ships from Brest & Toulon. I have also advice of as Large Reinforcements being under orders for coming to join me; so that in all human probability the Fate of this war is drawing to a Crisis & Decision in these Seas. — And as I think these Squadrons will rely on being supplyed with Provisions from your Parts, either immediately from the French Ports before we may come to a Rupture with them, or from Statia & Curacoa afterwards; and as any misfortune befalling us might be fatal to Our Possessions in these Seas I cant omit recommending it to you as most material for His Majestys Service to have no one permitted at this Critical Juncture to clear out from your Government without

giving sufficient Bond not to land his provisions at any French or Dutch Settlements, or any other but His Majestys Colonies, where all they can raise will probably be wanted for the subsistence of His Majestys Troops. —

As the Publick Service sufficiently bespeaks your regard in this particular I can in no Sort doubt of your exerting your utmost zeal in it for His Majestys Service —

I am, Your Excellencys Most Obedient and Most humble Servt

E. Vernon

I have the Favour of your Excellencys Letters & return you many thanks for your good offices to Capt Percivall who arrived here happily to relieve our Necessities — As the Squirrel can be of no service at your Port in the Winter and as she sails well, I purpose to keep her for His Majestys Service here & shall return her in the Spring —

To His Excellency Jona Belcher Esqr

Copy Examined ℔ Richd Waldron Sec'y

[3–86]

[*Petition of John Eyre for Pay for Time and Expense of Enlisting Troops for Cuba.*]

To His Excellency Jonathan Belcher Esqr Governour and Commander in chief in and over His Majesty's Province of New Hampshire; The Honourable His Majesty's Council, and House of Representatives for sd Province in general Court convened Feby 27th 1740. [1741, N. S.]

The Petition of John Eyre of Portsmouth in sd Province Gentm — Humbly Sheweth —

That when the late Expedition against the Spanish West Indies was first proposed in this Province His Excellency the Governour with the advice of His Majestys Council for sd Province, was pleased to appoint yr Petitioner to be Capt of the Company of voluntiers then proposed to be raised for that service in this Province; and accordingly gave him proper beating orders and articles of encouragement for enlisting a company of Voluntiers in this Province. That pursuant to the sd appointment your Petitioner did beat up in the several Towns in the Province where there was any prospect of success, and made several journeys forth and back and was indefatigable therein the better to effect the proposed enlistment, and also attended severable publick musters of the Militia in many Towns in sd Province, ordered to appear in arms by the Collonels of the respective regiments to facilitate the affair which yr Peticoner was solicitously concerned

should succeed. — That altho' all endeavours proved fruitless your Peticoner had as much or more trouble in pursuing the affair and was put to as great expence as if the design had been effected. — That 'tis a thing well known that the attempting to enlist a Company to consist of an hundred voluntiers, if pursued with hopes of success must be attended with considerable charge, and expence of time, especially in a place so exposed to danger in a time of war, as this Province; which with the consideracon of the Clime whither they were to go if enlisted, undoubtedly occasioned a general reluctance in the people against it. That in this affair your Peticoner spent seventy days viz from August the 8th: to Octr: 16th: and the sum of Forty five pounds fifteen shillings and nine pence to procure and encourage the enlistment of Soldiers, for which, the Com'tee who were appointed by this Honble Court to defray the charge for the weekly support of those that enlisted, have made your Peticoner no compensation over and above the allowance granted to a common Soldier.

That your Petitioner cannot suppose that this Honourable Court ever designed that any Person, who was heartily engaged for the success of so laudable an undertaking even tho' it did not succeed, should bear the necessary charge and expence thereof Himself or will suffer him to be out of pockett for the same, which the aforesd Com'tee would undoubtedly have considered and prevented, had the power to them been delegated — Wherefore your Peticoner humbly prays that this Honourable Court, would take the premises under consideration and make him such an allowance as may fully indemnify him, and such further compensation as this Honble Court in their great wisdom and goodness shall think fit, and yr Petitioner as in duty bound shall ever pray &c. —

Portsmo March 3d 1740. [1741.] John Eyre.

In Council March 13, 1740–1 Read and Recommended —

Richd Waldron Secy

In the House of Representatives Mar 13th 1740–41.

The within Petition Read and Voted that the Petitioner be allowed and paid the sum of twenty pounds out of the Treasury when the Treasury is supplyed for the payment of all the other debts of the Province James Jeffry Clr Assm

In Coun[l] March 18, 1740–1 Read and Concurred.

Richd Waldron Secy

Same day Assented to — J. Belcher

[Captain Eyre was appointed August 14, 1740. See Vol. V., pp. 49, 211. — Ed.]

[3–88]

[*Account of John Rindge for Expenses in England as Agent on the Matter of Boundaries.*]

1732 Dr The Province of Newhampshire. London.

January 22	To Cash paid Postage & Expences		5	
26	To Coach hire & Expences		4	6
30	To Cash paid for the Charter		9	6
31	To Expences with the Solicitor		2	10
Feby 2	To Cash paid for a map to annex to the Petition		13	6
6	To Cash paid Postage & Expences		8	6
20	To do paid Coach hire & Expences to St James		3	8
March 5	To Coach hire & Expences		3	6
April 19	To Expences & Coach hire with the Solicitor		4	6
20	To Cash paid Mr Paris [Solicitor]	30	5	
	To do paid Coach hire		2	6
23	To Expences going to the house of Lords on the Sugar Colony Bill		3	6
Paid for 100 Plans of the Province of new Hampr		5	5	
To so much paid ℔ Mr Thomlinson ℔ his acco		623	17	3
		662	8	9
Exchange 450 ℔ Ct		2980	19	4½
	£	3643	8	1½
℔ Contra in New England Cr				
By Cash received of the Treasury		500.		
Ballance		3143	8	1½
	£	3643	8	1½

Portsmo Octr 13, 1737 — Errors Excepted J. Rindge —

Portsmo Novr 17, 1738 —

Provce of New Hampr } Wee the Subscribers being a Comitte of auditt appointed by the Generall Assembly for ye Province afores^d for examining and allowing of accts have Examined the above acct both debt and Credit and find ye same to [be] right cast and well avouched by ye oath of s^d Rindge and accts of Capt Jno Thomlinson Esqr and that there is now Due to s^d Rindge from the s^d Province of

New Hamp^{r} the sum of three thousand one hundred fourty three pounds eight shillings & a penny half penny as ℔ ye above acc^{t}

Josh : Peirce
Geo. Walton
Saml Smith
J. Odiorne Ju^{r}
} Comitte

In the House of Representatives Ma^{r} 11th 1740–41

The above return read and accepted, and Voted that the Ballance of said accompt being £3143. 8. 1½ : be allowed & paid out of the publick Treasury as soon as Provision is made for the same

James Jeffry Cl^{r} Ass^{m}

[3–89] [*Quakers' Petition relating to Taking Oaths*, 1741.]

From Dover ye 27th of ye 12th mo. 1740/1 —

To Jonathan Beltcher Esqr Governer & Commander in Chief (under God) in and over the Provinces of the Massachusets Bay and Newhampshire in Newengland and to the Counsel and house of Representatives in Newhampshair aforsaid — We the People Comonly Called Quakers in this Province when we are Chosen in any office in town affairs and are notified to appear before som majestrate to Qualify for the true Performance of our Duty in such office we are required to be Qualify by an oath which is contrary to our Prenciple and which we cannot conform to 'tho we suffer greatly for it — Notwithstanding we are willing to serve and have sought to be Qualified as we have been in other causes but it hath been Refused altho' we do not desire the penalty should be any less upon us (if we be unfaithful in such office) than if we swor with an oath —

We humbly desire that you will Consider of this matter and Provide som way by which we may be Qualifyed without being imposed upon as aforesaid so shall our Prayers be to the Lord for you, that he may direct you to do Justice and Equity — We Remain your Loveing friends —

Signed in behalf of our friends & brethren

John Canne
by Otis Pinkham

In Coun^{l} March 5th 1740–1 — Read and Recommended

Richd Waldron Sec^{y}

Mar. 5th 1740/41. In the House of Representatives

The above Petition Read : and Voted that the prayer of the Petition

be granted, and that the Petitioners have Liberty to bring in a Bill accordingly — James Jeffry Clr Assm

In Counl March 6, 1740–1

Read and Concurred R. Waldron Secy

March 6, 1740/1 —

I assent to the votes on the other side — J. Belcher

[*Governor Belcher to Lords Commissioners of Trade and Plantations*, 1741.]

[Copied from the English Archives in London for the New Hampshire Historical Society.]

May It Please Your Lordships

Since I had the honour of writing you last, I have been to New Hampshire, & met an Assembly there, and Communicated to them, Such New Instructions, as I had receiv'd from their Excellencies, the Lords Justices, One respecting the future Emissions, of Paper Currency, in that Province, the other for Carrying into Execution the Kings Judgment, for Setling the Boundaries, betwixt this Province, and New Hampshire, and I now send Your Lordships the Proceedings, of that Session of Assembly, by which you will find, little material done for His Majestys Service, or for that of the Province — the Affair of the Boundaries, being of great Consequence, to both Provinces, Your Lordships will see, I urg'd upon the Assembly, the making Sufficient Provision, for that Service; instead whereof they would Vote only £500: which will not much more, than half compleat the Work; However I sent out Surveyors with proper Attendants, on the several Lines, and am daily expecting their Returns, and so soon as I receive them, they shall be transmitted to Your Lordships.

As the Assembly would do nothing towards the Payment, of the Publick Debts, or for the Support, of the Government I Judg'd it for His Majestys Honour, and Service, to Dissolve them, hoping, the next may better Act up to their Duty — I am, with great Respect

My Lords, Your Lordships

Most Obedient and Most Humble Servant

Boston May 6th 1741. J Belcher

Lords Commissrs of Trade

[*Governor Belcher to Lords of Trade*, 1741, *concerning Boundary Line.*]

[Copied from the English Archives.]

May it Please your Lordships

I wrote you yesterday, to which I humbly ask your reference, & that you would give me leave, to lay before you, a difficulty arisen upon the Construction, of his Majestys Judgment respecting the Boundaries, betwixt this Province & that of New Hampshire — vizt on the following words. "*That the Northern Boundaries of the said Province of the Massachusetts Bay* are & be a Similar Curve Line pursuing the Course of Merrimack River at three Miles distance, on the North side thereof beginning at the Atlantick Ocean, and ending at a Point Due North, of a Place, in the Plan, returned by the said Commissioners, called Pautucket Falls, *and a Strait Line drawn from thence due West, cross the said River till it meets with His Majestys other Governments*" — Your Lordships will please to observe that it is called the *Northern Boundaries of Massachusetts*, but not the *Southern of New Hampshire*, nor the *Divisional Line* between the two Provinces — from this, the People of both Provinces, say, the Lands from the Northern Boundary of Massachusetts, till they meet the Southern Boundary of New Hampshire, & so further Westward, are not under any Jurisdiction or Government, nor can the Lands, already ungranted, between those Lines, be granted for the Incouragement of New Setlers — if the matter therefore remains thus, it may soon produce Disorders, & Confusions, among the Kings Subjects, now setled upon some parts of those Lands, who look upon themselves in a State of anarchy — As His Majestys Order, which was the foundation for the Commission of making the late Settlement of the Boundaries, declar'd, the matter was not to affect Property, but Jurisdiction onely, I should be glad to know His Majestys Pleasure, as to the Jurisdiction of all those Lands, and as to the Grant of such of them as have not already been granted either by the Government of the Massachusetts Bay: or that of New Hampshire, I mean whether they are to be annext to either Province, or still remain by themselves, for His Majestys further pleasure, this difficulty, My Lords, seems to spring with the more force, from the very different wording of the Judgment, from that of the other Boundary, where it is said "And as to the Northern Boundary *between the said Provinces*, the Court resolve and determine, that the *Dividing Line* shall pass" &c. and again, that "the *Dividing Line* shall part the Isles of Shoals" &c *and that the S° Westerly part of said Islands, shall lye and be accounted part of the Province of New Hampshire, and that the N°*

Easterly part thereof shall lye in, and be accounted part of the Province of the Massachusetts Bay &c"

I humbly pray of your Lordships, that I may be set right in this matter, by His Majestys Royal Explanation, to which I shall dutifully conform myself, so far as it may concern me.

I have the honour to be with much Respect My Lords, your Lordships Most Obedient & Most humble Servant

Boston May 7th 1741. J. Belcher.

Lords Commisrs of Trade

[Endorsed] Recd July ye 1st } 1741
Read — ye 9th }

[3-91] [*Richard Wibird Appointed one of the Council*, 1741.]

George R —

Trusty and Wellbeloved, WE greet you well. We being well Satisfy'd of the Loyalty Integrity and Ability, of our Trusty and Wellbeloved Richard Wibird Esqr have thought fit hereby to signify Our Will & Pleasure to you, that forthwith upon the receipt hereof, you Swear and admit him the said Richard Wibird to be one of our Council of that Our Province of New Hampr in America in the room of John Rindge Esqr Deceased And for so doing this shall be your Warrant. —

And So We bid you farewell. —

Given at Our Court at St James's the twenty ninth day of April 1741, in the Fourteenth Year of Our Reign

By His Majestys Command

Holles Newcastle

Richd Wibird Esqr to be of the Council of New Hampr

To Our Trusty and Wellbeloved Jonathan Belcher Esqr Our Capt General and Governor in chief of Our Province of New Hampr in America & in his Absence to Our Commander in Chief or to the President of Our Council of Our Sd Province for the time being —

New Hampshire

Copy examin'd ℔ Richd Waldron Secry

Richd Wibird Esqr Sworn into the Council July 9th 1741 by Colo Henry Sherburn and Richd Waldron Pursuant to a Dedimus to them from His Excellency the Govr

Attestr Richd Waldron Secry

[3–92] [*Thomas Wentworth to Governor Wentworth*, 1741.]

From the Camp George Stadt on Cuba Augt 12th 1741

S^{r}/ His Maj^{tie} having directed me to use my best Endeavor to recruit His Forces under my command in His Collonies in North America I have appointed Capt Winslow to repaire for that end to your Province not doubting of your giving him all the assistance in your Power to Levy Soldiers, not only for Compleating Coll Gooch's Regim^{t} but if Practicable to raise a greater Number Either to fill up vacancys in the old Corps: & in the Marrines or to form another Battallion as it Shall be found best for his Maj^{ties} Service

As I have here no means of Supplying the recruiting officers with money you will S^{r} be pleased to give the aforesaid Capt Credit for Such Sums as may be wanted for that Service, and to draw on the Right Honble Henry Pelham Esqr the paymaster Genl for the Said use: as to the particular Sums to be paid to the Said recruiting Officers I refer you to his Instructions which he will lay before you:

all Such as Shall Inlist themselves on this occasion will be Entituled to the advantage offerred by his Maj^{tie} in his Instructions on the first Raising of Coll Gooch his Regim^{t}

I don't doubt S^{r} but you will take the proper Measure for their being transported hither to Support which charge I flatter my Self the respective Provinces will make a Provision as all his Maj^{ties} Dominions in the West Indies are particularly Interested in the Success of this Expedition —

I am S^{r} your most obedient Servt

Thos Wentworth —

The Honble Benning Wentworth Eq^{r}

Copy

[*Ex-Governor Belcher to Board of Trade, Transmitting Hazen's and Bryant's Returns of their Surveys of the Boundary Line*, 1741.]

[Copied from the English Archives.]

May it please your Lordships

Since I had the honour of writing you last, I have received from your Lordships, two Letters, Dated the 17 April, last, with two acts of Parliament, which I have made public, both here, & at New Hamp: The one prohibiting the Exportation of Sundry Sorts of Provisions, till Christmas next — the other licensing the Importation of victuals from Ireland &^{ca} in time of Scarcity. I have now the honour to

transmit to your Lordships the Returns made me by two of the Surveyors, whom I sent in March last to mark out two of the Boundary Lines relating to this Province & New Hampshire, according to His Majestys Judgment, in Council, in that behalf —

The one being Richard Hazzen's, with his Journal, The other Walter Bryant's —

I also employed Mr George Mitchel, upon what is called the Curve line, from the Ocean to Pautucket Falls, but have had no return from him, altho he has promist once and again to do it, without delay, yet from his neglect the matter remains incompleat. Your Lordship will herewith receive the Journals of the Houses of Representatives, of this Province, from the first of their Session, to the time of my being Superseded, in this Government, by His Majestys Royal Commission, To His Excellency William Shirley Esqr, the present Governour of this Province — I wish great Prosperity to His Majesty's Government, and People here, and lasting health and honour to your Lordships, and Remain with great Respect, and Esteem —

My Lords, your Lordships Most Obedient
and Most Humble Servt

Boston August 31 : 1741. J. Belcher

[Endorsed] R. Decr 11th late Govr Mass & N. H.

Letter from Mr Belcher, late Govr of ye Provinces of ye Massachusetts Bay & New Hampshire, dated at Boston the 31st of August 1741, transmitting the Returns made by two of the Surveyors he sent in March last to mark out two of ye Boundary Lines of the said Province.

Rec^d Decr ye 11th } 1741
Read Jan'ry 23^d } 1741/2

Enclosing Plan by Richard Hazzen
Journal of Richard Hazzen E R T m 70 E e 53
Journal of Walter Bryant E R T m 70 E e 54.

[Bryant's journal is printed in Provincial Papers, Vol. VI., p. 349. — Ed.]

[3–93]

[*Petition for Constituting a Township from the North Parish of Methuen*, 1742, *N. S.*]

To His Excellency Benning Wentworth Esqr Capt General & Governor in Chief in & Over His Majesty's Province of New Hampshire in New England And to the Honorable His Majesty's Council for Said Province —

The Petition of Henry Saunders & Benjamin Corning a Committee

of the Late North Parish of Methuen (so called) in the Province of the Mass[a] Bay Humbly shews

That the Government of the Said Province of the Mass[a] Bay Claiming the Jurisdiction of the said Town of Methuen in y[e] Year of Our Lord 1735 upon the Petition of Sundry Inhabitants of the said Town Erected & Incorporated a Separate & distinct Precinct or Parish in the Northly part of the said Town & Invested the same with the usual Parish Powers & Privileges —

That thereupon the Parishioners proceeded to Build a Meeting House Settle a Minister & to Levy Taxes upon themselves to defray the Charges thereof by Authority of Law —

That Since the runing of the Boundary Line between this Province and that — the Greatest part of the said Parish is found to lie in this Province and all the Habitations of the said Parishioners (Eight or Ten Excepted) fall within the Same — Whereby they Conceive their Parochial privileges & all Authorities & powers they were Invested with or that they Conceived they were Invested with are Dissolved & Vacated which makes it Impracticable for them to Subsist together in their former Relations or to manage their Parochial Concerns

That this Situation of Affairs will soon break up the Settlement there which will be no Service to this Government, & perhaps prove the Ruin of many Private Families who are Settled there with Considerable Cost to them Selves & who are Loyal Subjects to His Majesty & may be Serviceable members of the Community wherein they Live —

Wherefore your Petitioners in behalf of the said Parishioners (by whom they are Constituted & Instructed) most Humbly Pray that by your Excellency's Authority a Township may be Erected & Incorporated by the Following Metes & Bounds viz Beginning at the East End of a Pond commonly called & known by the Name of the Captain's Pond & from thence to Run to the Late Dwelling House of One Richard Petty now Deceas'd upon a Strait Line and from thence to the North part of Policy Pond so called And So running by Said Pond to the South West part thereof and then on a West Course until it comes to Dracut Line & then by Dracut Line till it Comes to the Province Line and So running by that till it Comes to the Place first Mentioned — Which will Comprehend a Tract of Land of about five Miles Square — That the same may be Granted to the said Persons who were the Inhabitants of the Said Parish (whose Settlements will be Comprized within the Said Boundaries) and to their Associates (Saving the Rights of former Regular Grants & the Interest of Private property) and that they may be Invested with the Legal Rights

powers & Authorities that other Towns in this Province hold & Enjoy — Or in Such other manner as Your Excellency with the advice of His Majesty's Said Council in your great Wisdom & Goodness shall think proper to Relieve your Peticoners & their Constituents from their Present Grievances And Your Petitioners for themselves & in behalf of their Principals as in Duty Bound Shall Ever Pray &c

Henry Sanders
Benjamin Corning

January 14th 1741.

[See Vol. V., pp. 183–187. — Ed.]

[3–94]

[*Report of a Committee on Southern Bounds of Towns on the Massachusetts Line.*]

Province of New Hampr } To his Excelency Benning Wentworth Esq Govern our & Commander in Chieff in & over His Majtys Province aforesd — May it Please your Excelency

In Pursuance of your Excelency's Comission Under the Province Seal Dated the 27th of ffebry Last appointing us Comissioners to mark out the Southern Boundarys of as many Towns on the Boundary Line between the Massachusets Bay & this Province as the Land & Inhabitants would allow of untill we Crossed Merrimac river & alsoe to View Dunstable first & Second Parishs togeather with a Smal Part of Lytchfield on the Western Side of Sd river &c — We have been thro the Severall Districts & have taken the best Information we could obtain from the Principle Inhabitants for their General Accommodation & Do report that beginning at the S W — corner of South Hampton on the Curve Line between the Province aforesd & runing on the Sd curve Line till it Meets with Haverhill north west Line runing from Holts rocks Into the Country may be one Town & from Haverhills Sd N West Line On the Curve Line aforesd till it Intersects the Line formerly between Methuen & Haver Hill So Called one other Town Excepting out of their Township the Estates of Timothy Johnson William Johnson & abiel Kelly which we Apprehend may more Conveniently be annexed to the Third & next Town & from the Sd Line between Haverhill & Methuen to the Line formerly the Bounds between Sd Methuen & a Place Called Dracut to be one other Town & from the Sd Last mentioned Line to Merrimack river to be one other Town Then on the Western side of the river We

have Agreeable to our Comission Divided the Tract of Land Called the first & 2d Parishes of Dunstable into four Townships Agreeable to a Plan here with returned — all which is Humbly Submitted to your Excelency by May it Please your Excelency Your Excelency's Most Obedient Servt

[The foregoing is in the handwriting of Theodore Atkinson, and not dated. — Ed.]

[3-95]

[*Memorial of Justices of the Superior Court relative to Costs of the Trials of Philip Kenniston, Sarah Simpson, and Penelope Kenney.*]

To His Excellency Benning Wentworth Esqr Captain General, Governour and Commander in chief in and over His Majesty's Province of New Hampshire in New England, To The Honorable his Majesty's Council for said Province and the House of Representatives in General Assembly conven'd —

The Memorial of the Justices of the Superiour Court of Judicature for the Province of New Hampshire — Sheweth —

That in the Year 1737 one Philip Kenniston was tried for the Crime of Burglary That the Jury found a special Verdict, That the Court upon advisement was of Opinion that he shou'd be acquitted paying cost, That there was a Bill Taxed amounting to Thirty Two pounds nineteen shillings and three pence an authentick Copy whereof is hereto annexed That the said Philip was detained in Gaol for said costs until he made his Escape by breaking the Gaol, and was afterwards Executed in the County of Middlesex for a Burglary there by him committed that the said Bill of cost remains still unsatisfied —

That in the year 1739 Sarah Simpson widow and Penelope Kenny Singlewoman were tried for destroying and murdering their Bastard Children, and were condemned and Executed, That their Trials were long tedious and attended with much Trouble and Difficulty

That the said Sarah and Penelope left no visible estate That Bills of Cost were taxed in the whole amounting to the sum of Twenty seven Pounds Four shillings Authentic Copies whereof are hereunto annexed, That the said Bills of Cost remain unsatisfied —

That their Expences in the Trials of the said Sarah & Penelope amounted to the sum of Twelve pounds Twelve shillings —

That in the year 1740 there were sundry Persons tried for passing Counterfeit Bills of Credit on the Colony of Rhode Island knowing

the same to be Counterfeit and that Justice might be done and his Majesty's Subjects of this Province secured from being imposed on (if not many of them from being ruined) Care was taken by the Justices of the said Court to prevail upon Two Gentlemen of Rhode Island Two of the Committee for signing their Bills to be here to give Evidence on the Trial, That an Express was sent from hence to Salem for that end, the charge of which was Five pounds and that of particular persons and which was for the good of the Province, That the said Gentlemen were here at the Trial and That (notwithstanding the Persons tried were acquitted yet it being proved that those Bills were Counterfeit) a stop was put to their passing —

Wherefore your Memorialists pray your Excellency and Honours and the House of Representatives to take this Memorial under Consideration and to allow out of the Treasury what may be tho't reasonable and your memorialists as in Duty bound shall ever pray &c —

Portsm° By Order of Court
February 6th 1741 Benj[a] Gambling Clerk

[3-96] [*Costs in Case of Philip Kenniston.*]

Superior Court at Portsm° in the Province of New Hampshire on the first Tuesday of February 1737/8 — Dominus Rex v[s]: Philip Kenniston Bill of Cost against the Respond[t]

Bill of Cost before the Justice	£11: 9: 3
Drawing Indictment	3: 0
Entry	1: 12: 6
Jury	13: 0
3 Summons	3: 0
Service	1: 15: 0
witneses attendance	6: 0
attorney	12: 0
Prison-keepers Fees	14: 14: 6
Attorneys attendance	1: 10: 0
Taxing	1: 0
	£32: 19: 3

Exam'd ℔ B Gambling clr —
Allowed H Sherburne
A True Copy Examd ℔ B Gambling Clerk

[Philip Kenniston was tried for burglary and convicted. He broke out of jail and fled to Massachusetts, where he was tried for a similar crime, convicted, and hung. — ED.]

[3–97] [*Costs in Case of Sarah Simpson.*]

Superior Court at Portsmouth first Tuesday in August 1739 —
Dominus Rex — v^s Sarah Simpson

Bill of Cost

	£	s	d
Before the Justice Complaint & warrant for search	0	9	0
Serving warrant		3	0
Entring Complaint & taking Examination		15	0
Constable searching & Guard	1	0	0
Mittimus and Service		6	0
5 women attending at examination Searching &c	0	10	0
At this Court Drawing Indictment		3	0
Attorneys Fee		12	0
Entry &c	1	12	6
Summons for 20 witnesses	1	0	0
Service of Summons each 3 shillings	3	0	0
19 witnesses attend: at this Court and before Grand Jury	3	16	0
Kings attorney attending 4 days		8	0
Petit Jury	0	14	6
Taxing		1	
	£14	10	0

Exam^d ℔ B Gambling Clerk

Allow^d Fourteen pounds ten shillings ℔ H Sherburne

A True Copy exam'd ℔ B Gambling Clerk

[Sarah Simpson was executed December 27, 1739, for the murder of an infant. — ED.]

[3–98] [*Costs in the Case of Penelope Kenney.*]

Superior Court at Portsm^o first Tuesday of August 1739 —
Dominus Rex v^s: Penelope Kenny — Bill of Cost

Before the Justice Complaint & warrant for search & attorneys Fee	£0: 9: 0
Serving the Warrant	3: 0
Entring Complaint & taking Examination	15: 0
Constable Searching & Guard	1: 0: 0
mittimus & service	6: 0
5 women attend: at examination searching &c	10: 0
At this Court Drawing Indictment	3: 0
Attorneys Fee	0: 12: 0
Entry &c	1: 12: 6
Summons for 15 witnesses	15: 0
Service of Summons each 3 shillings	2: 5: 0
15 witnesses attend: at this Court & before Grand Jury	3: 0: 0
Kings Attorney attending 4 days	8: 0
Petit Jury	0: 14: 6
Taxing	1: 0
	£12: 14: 0

Exam^{d} ℔ B Gambling Clerk

Allow^{d} Twelve Pounds Fourteen shillings ℔ H Sherburne

A True Copy Exam^{d} ℔ B Gambling Clerk

[Penelope Kenney was executed at Portsmouth December 27, 1739, for the murder of an infant. — Ed.]

[3–98] [*Action of the Legislature on the Foregoing.*]

ffeb 12th 1741: In the House of Representatives voted there be allowed and p^{d} the Sum of £65. 3. 3 for this Mem^{o}

James Jeffry Cle^{r} ass^{m}

In Counc^{l} feb 18 1741/2 Read and Concurr'd R Waldron Sec^{ry}

Feb: 18: 1741. assented to B Wentworth

In the House of Representatives march 20th 1741, upon Reconsidering the vote of the 12th Curr^{t} Voted That the Sum of Twelve pounds twelve Shillings be Alowd and Paid in addition To the Sum of £65. 3. 3 before Voted which is In full of the within memorial and that the whole Sum be Paid out of the Tresurry To Mr Benj^{a}

Gambling Clark of the Sup^{r} Court and that he pay the Same to the Severall Persons to whom It Respectively becomes Due:

James Jeffry Cle^{r} ass^{m}

In Council March 20th 1741 the within vote of this Day Read & Concurrd Theod Atkinson Sec^{ry}

march 22^{d} Assented to B. Wentworth

[3-99] [*Bill for Repairs on Fort William and Mary.*]

Province of New Hampshire to Edwd Toogood for work Done on Fort W^{m} & Mary is

1722		D^{r}
July ye 3^{d}	to one Day & half my man Carrying Down Lime	£–,, 7,, 6
	to 1 Day my self getting of gundelo & telling Bricks	–,, 6,, –
	to 4000 & half of Bricks @ 26/ ℔ M	5,, 17,, –
7	to 2 days my self John 3 Days	1,, 2,, –
14	to 6 days my self & 6 days John	2,, 15,, –
21	to 6 Days my self 30/ & 5 John 20/	2,, 10,, –
	to 20 bushells of Lime	1,, 10,, –
	to 1 hand barrow	–,, 2,, –
28	to 12 bushells of Lime	–,, 18,, –
	to 6 Days my self & 5 days John	2,, 8,, –
Augst 3^{d}	to 3 Days my self & 3 days John Grifeth	1,, 7,, –
	to 1 Day my self at Newichawanick	–,, 10,, –
	to 1 Day my man at oyster river	–,, 4,, –
		£19,, 16,, 6

ffe^{b} the 12th 1741: In the House of Representatives: allowed to be p^{d} only £2,, 10 in full of the accompt

James Jeffry Cle^{r} ass^{m}

In Coun^{l} Feb 18 1741/2 Read and Concurred

R Waldron Sec^{ry}

Feb: 18: 1741 Assented to B Wentworth

[*Letter from Governor Wentworth to Board of Trade, March 6,* 1741–42.]

[Copied from the English Archives.]

My Lords

I have by this conveyance, Via[a] Bristoll, transmitted to your Lordships, M[r] Mitchells Survey of the river Merrimack to Pautucket falls, which he has taken with the greatest Accuracy, and tho' it was impracticable to mark out a line, that in every part thereof would be exactly three miles north of said river, Yet he has so punctually complyd with His Majesty's determination in Council, that there remains the same quantity of Acres to the Massachusetts, as tho' it had been possible to have drawn a line three miles North of said river, and the Advantage is, on the side of the Massachusetts, rather than in favour of New Hampshire.

I must begg leave to inform your Lordships that M[r] Mitchill is appointed by His Majesty Surveyor of the King's Lands in Nova Scotia, and for that reason, and his Superior Skill in Surveying, he was thought the most proper person to imploy in that part of His Majesty's determination, in which there was the only difficulty which I hope will give weight to his Survey in some certain bends of the river, he has been under a Necessity to come Nearer than three miles, and in other Suddain turns the Reaches described in his plan, extend Near three Miles & a half North of the river, so that there is ample allowances made from the Mouth of the river to the Pautucket falls, to the Massachusetts, to avoid any further dispute with them

Your Lordships will please to observe that in the course of the whole line from the Sea to Pautucket falls, there are only two houses, & two barns intersected, which can by no means incommode the inhabitants, as has been represented, more than three parts of the inhabitants from the Sea to Pautucket Falls since my Arrival have petition'd to be incorporated, into Towns & Parishes, inclineing rather to be under the King's Government, than under the Charter Governm[t] tho' before, being influenced by some persons claiming large tracts of Land in New Hampshire, they had petitioned to be under the Jurisdiction of the Massachusetts.

These particular proprietors, My Lords, were the only Abettors, of the pettitions preferd to His Majesty by the Agent M[r] Hutchinson, whose Authority did not derive so much, from the general disposition of the Inhabitants, as from the particular Views of those persons, who have, without any Authority, but Superior power, possess'd themselves, by Virtue of grants from the Massachusetts, within five

or Six years, of whole townships; in the King's Government of New Hampshire.

There is, My Lords, in none of these grants, any reserve made of Pine trees fit for his Majestys use, which as they fall in New Hampshire must effectually vacate the grants, Since I have discover'd this fact I have, as far as my power extends, given the Necessary orders to the deputy Surveyors of His Majesty's woods, to appoint proper persons to take care that no waste be made in any of these townships, in which I hope for your Lordships Approbation.

On the 12th of Decr past I arrived in New Hampshire, & the same day I published His Majestys Commission with the Usual Solemnity & as soon as the time would Admit, I met the Generall Assembly which is now siting, after the business of this Session is over I shall pay a due obedience to His Majestys instructions by transmitting to your Lordships the whole transaction, & I shall in this, & in every other respect endeavour to Approve my Self a faithfull Servant to the Crown, & while I do, I shall hope for your Lordships favour & protection. I begg leave to Subscribe my Self

My Lords Your Lordships Most faithfull humble Servant

Portsmouth March 6th 1741–2 B. Wentworth

The Right Honbl the Lords Commissrs for Trade & Plantations.

[Enclosing Mr. George Mitchell's Survey of the Merrimack river.]

[3–100] [*Petition relative to Governor Vaughan*, 1742.]

To His Excellency Benning Wentworth Esqr Governor & Commander in Chief in & Over His Majesty's Province of New Hampshire the Honorable His Majesty's Council & House of Representatives for said Province in General Court Convened

The Petition of William Vaughan of Damaris Cotty in the County of York in the Province of Massa Bay Gent, Sole Execr of the last Will & Testament of George Vaughan late of Portsmo In the Province of New Hampshire Esqr Deceas'd Humbly Shews —

That the said George Vaughan was Lieut Governor and Commander in Chief from Octobr Anno 1715 to the same Month Anno 1716 (Omitting the days in the said Month at the beginning & end of the said Term) And afterwards Lieut Governor under Governor Shute about fifteen Months, during which time a just & Reasonable Claim

Accrew'd to him for his attendance upon the Affairs of the Government & the service done by him in that Station for an Adequate Compensation —

That the Poverty of the Province & the Claims thereon in those times were Such that the then House of Representatives acknowledged they could not "Retaliate him according to the Willingness of their Minds" — But made him a present only of One years income of the Excise in Consideration of Services done before his Claim. (Arising as aforesaid) and before his Command & charge of the Fort which was about Eighteen Months and in which he was at Expence himself for Servants Attendants & other Occasions but no allowance made to this day for the same which Your Petitioner humbly Conceives has not been the Case with Respect to any other Gentleman in such a Station or that has held those Posts in the Province even from the beginning of times —

That the said George Vaughan having Occasion of money had (with others) money out of the Treasury upon Loan giving his Bond for Security which running upon Interest & not yet paid amounts to a considerable Sum & which when taken out of the Estate of the said Deceased will greatly prejudice his Heirs —

That your Petitioner being a Minor in the times before Mentioned & long after even till the Decease of his said Testator can give no Relation of facts Respecting the Renewing the Said Claim or Shew any Reason why it was not Satisfied in the Season of it or Since (Unless his s^{d} Testator tho't Discount was good pay) But however that may be, as delay is no payment he humbly hopes it will not be be deem'd too Stale a Claim to be demanded Especially Considering that is not tho't to be the Case with Respect to the Debt demanded from the Estate of the said Testator which is near about the same Standing — and there is no Difference in an Equitable Consideration, or with Regard to Strict Justice, that there was Security in the one Case whereby Compulsory methods might be pursued, and the other Depended only upon honour as to the performance thereof — and therefore persuades himself from the Justice of this Honorable Court that as they have tho't proper to Condescend upon Measures to Recover the Debt due to the Government from said Estate they will also consider the Grounds & Justice of the aforesaid Claim & make Such an allowance for the Same as is Right & Equitable — And Accordingly most Humbly prays the same may be done or that He may be Relieved in Such way and manner as this Honble Court in their Wisdom & Goodness Shall think meet & your Petitioner as in duty bound shall ever pray &c

W: Vaughan

In the House of Representatives March the 9th 1741. The within Petition Read and Voted that the Said Vaughan be heard thereon thursday next 3–o' the Clock afternoone

James Jeffry Cler assem

In Coun[l] March 11th 1741 beforenoon Read and Concurr'd

Rich[d] Waldron Secry

Same day a : m : assented to B Wentworth

In the House of Representatives March ye 12th 1741 The within Petition Read and the Petitioner heard by his Council and Voted. That Messrs James Clarkson and Hunking Wentworth be a Committee of this House to Joyne Such as the Council Shall appoint, to Inquire into the Claims and accounts of Mr Wm Vaughan on acct of what was due to his father Geo Vaughan Esqr while Liut Govornr and also to Enquire why the former assembly did not answer the Said Geo. Vaughan Esqr in his life time and make Report of their doings to the Genll assm next Sessions of the Genll assm

James Jeffry Cler assm

[3–101]

[*Act Granting Assistance to the Church in New Castle*, 1742.]

Anno Regni Regis Georgii Secundi Magnæ Britanniæ Franciæ et Hiberinæ Decimo Quinto —

An act for the payment of the Sum of Forty Shillings Equall to so much Proclamation money annually out of the Publick Treasury towards the support of the ministry at New Castle in the Provce of New Hampr

Whereas the meeting House at New Castle in this Provce is Conveniently Situated for the Soulders belonging to his Majestys Fort William & mary to attend the Publick Worship of God at —

Be it therefore Enacted by his Excellency the Governour Council and Representatives in Genll Assembly Convened and by the authority of the Same That there shall be paid annually out of the Publick Treasury of this Province the Sum of Forty Shillings in Bills of Credit Equall to Proclamation money or So much in old Tenor as Shall be Equall thereunto towards the Support of the Gospell ministry at New Castle aforesaid and that the Same Shall be paid to the Minister there for the time then being, and that the same fhall be in full of all Demands Such Minister may have on this Province for any Sum or Sums of money by Virtue of Any Act or Acts or any Para-

graph or Paragraphs of any Act or Acts heretofore made. And bee it further Enacted by the authority aforesaid that the payment of Said Sum shall be from the Tenth Day of January Last Past —

In the House of Representatives Ma^{r} 26th 1742 The above act Read three times & past to be Enacted And^{r} Wiggin Speaker

[The minutes of the House of Representatives of that day state: "A vote past to pay 40 s Proclam^{a} mony pr annum to New Castle, But not ended." — Ed.]

[*Governor Wentworth to Board of Trade, May* 25, 1742.]

[Copied from the English Archives for New Hampshire Historical Society.]

Portsmouth 25th May 1742

My Lords

I take this opportunity by the Wilmington Mastship to transmit to your Lordships, Mr Hazzens and Mr Bryants Survey, or plat, of the Northern boundarys of the Massachusetts, and New Hampshire, which was done at the Charge and Expence of New Hampshire only, which with Mr Mitchell's Survey of Merrimack river to Pautucket falls, (which I transmitted Via Bristoll & Capt Pain) Compleats His Majesty's order in Council, agreeable to His Royall determination.

I beg leave to observe to your Lordships that, this Survey, was made entirely at the Expence of New Hampshire, notwithstanding the order was given to the Massachusetts, who have hitherto refused to pay the least obedience to the Royall order, neither have they to this day paid any regard to His Majesties order in Council, for defraying one half of the Expence of the King's Commission, and the Commissioners expence which was to be born Equally between the Massachusetts and New Hampshire, so that the whole burthen lies on this little Province, which with the load of debt that arose from defending the Province against the claims of the Massachusetts has involved the Province so much, that the people are scarce able to Support under the Charge of it, being never Suffer'd to raise any publick money, till now, to defend themselves, but the whole expence was Supported by private Subscriptions, which now remains to be discharged

I have transmitted also by this Conveyance to your Lordships five Acts passed in the last Session of the General Assembly Viz, (1) An Act, for granting to his Majesty four thousand Seven hundred and Twenty pounds. for the Supply of the Treasury.

(2) An Act for granting to His Majesty two hundred and fifty pounds proclamation money towards the Support of His Majestys Governor

(3) An Act to assertain the value of bills of credit Issued for the Supply of the Treasury

(4) An Act to Assertain the fee of a Messuage and Tract of Land Containing Twelve Acres, heretofore Mortgaged by William Vaughan To George Walker

(5.) And An Act, for Emitting £25,000 in bills of credit Equal to so much proclamation money upon loan, and granting the interest that shall arise therefrom for and towards the Support of His Majestys Government, as mentioned in said Act,

The two latter are of an extraordinary nature and for that reason I have Ascented to them with a Suspending Clause till His Majestys pleasure shall be Signified thereon.

The Act for Ascertaining a fee in a Messuage or tract of Land from William Vaughan to George Walker, carried so much Justice in it, and being so well known, that it passed the Assembly and the Council almost unanimously, which induced me to Assent thereto, tho', there was some doubt with me in point of Law, but in Equity it was very Clear, and Walker can have no relief for about £1600 this Currency unless he is relieved by this Act, Your Lordships will see by the proper notifications in conformity to His Majestys Instructions, and the hearing of the Case, by Council on both sides before the Assembly and the Council, that the partys Concerned had time to make a proper defence

What I have to offer to your Lordships, on the Act for emitting £25,000, on loan, is, that the money is put on a more Certain footing in respect to its fluctuateing, than any former emissions, and that no merchant tradeing to this Province from Great Brittain, can in any shape be prejudiced, should it fall in value, which I don't conceive will ever be the case

This Government will have comply'd with all the acts for past Emissions in December 1742, which none of the other Governments have done,

The last thing I have to offer to your Lordships consideration in behalf of the Act, is, that the Province is in a naked and defenceless Condition, and Scarce make the appearance of a King's Government, being destitute of a house for the General Assembly, or for the Governor; at least £20,000, this currency will be wanting to put the fort in a defencible State, Several block houses are wanting to defend the infant Settleers and roads to and from the frontiers are absolutely necessary, for the Effecting of which it will be impossible to raise

money on the poles and estates of the Inhabitants, which is the only method of raiseing publick money and tho' the people are ready and willing to grant a hansome Support to the King's Governor, yet considering the present debts of the Province, they are not able to do it.

Wherefore I should hope your Lordships will be moved compassionately to consider the case of the Province in their present Situation, and give countenance to this Act, in such a manner as in Your Lordships wisdom may Seem most for His Majestie's Honour and the welfare of this Province on which its future prosperity greatly depends —

Agreeable to His Majesty's Instructions the Assembly have Settled on me £250, proclamation money dureing my Administration and £250, more depends on the Success of the above Act, the assembly have also made me two grants in the Treasury bill, of £500, each this currency, and £100, currency for house rent, all which with the Œconomy will but Just afford me a decent Support; I am hopeing when the Contests with the Massachusetts are ended and the Province Settled peaceably and quietly, The Province will be in a Condition to do more, if I can obtain the Royall leave therefore, in obedience to His Majestys Instructions I have by a Committee of His Majesty's Council taken an Account of the Stores in the Fort, and the state of the Artilery, which Your Lordships will find is not any ways Sufficient to defend the Province, or the trade and navigation thereof, more especially the mast Ships that load masts for the Royall navy are greatly exposed, by the naked and defenceless Condition the fort is in, a great part of the Guns, and all the carriages are useless, and unfit for Service, I would therefore hope His Majesty, will take the defenceless state of this Province into Consideration and grant Such Supplies of stores as in his great wisdom may be thought necessary for its defence — I have the Honour to be

My Lords Your Lordships most faithfull Servant

B Wentworth

[Endorsed] Rec^{d} August ye 2^{d} } 1742 Received from
Read — ye 4th } Capt Thomlinson

New Hampshire — Letter from Govr Wentworth transmitting 5 Acts with his observations thereon, and inclosing

Plan of the Boundaries by R. Hazzen

Plan of the Boundaries by W. Bryant

[3–102]

[*Commissioners to Survey and Mark a Road from Connecticut River to Merrimack River*, 1742.]

Province of New Hampshire

Srs You are hereby Impower'd at the most Convenient Season of the year, to Imploy four faithfull men in whom you can Confide &c to Survey & mark out a Suitable & Convenient Road from Connecticut River beginning to the Northward of No 4 so called, allso to remark a Suitable & Convenient Situation for the Erecting a fortification on Said Connecticut River, & from said River to run due East to the River Called Merrimack, if the Land will admit of it, if it will not, then it may be varied to the Northward or to the Southward, so as to make the road more Commodious, and you are directed to make a return hereof unto the Secretarys office as Soon as you can with Conveniency. Given at Portsmouth December ye 4th 1742 —

B Wentworth

To Josiah Willard Esqr & Ebenezer Hinsdell

[*Governor Wentworth to Board of Trade, December* 8, 1742.]

[Copied from Colonial Correspondence, Public Record Office of England.]

Portsmouth December 8th 1742

My Lords

I have the Honour to acknowledge the receipt of your Lordships letter to me of 27th July past, and shall punctually comply with the directions therein given, as soon as the officers of the respective offices furnish me with their Accounts.

His Majestys Instructions direct that the proceedings of the General Assembly should be fairly Entered in the Council Books, and that the books lay on the Council table, for the perusall of His Majestys Council, which I directed should be done, but the Secretary declared that there was no book, or books belonging to the Council that he knew of, & that hitherto the records of Council had only been kept in loose papers, part of which were lost, & others destroyed by fire, Upon which I prevailed on the Assembly to provide a Set of books, & shall take care in future that every transaction shall be fairly enter'd from my Arrival in the Government in Conformity to the Kings Instructions

What passed before my time I hope Your Lordships will not expect from me.

In obedience to your Lordships Commands I shall transmit all Occurrances in the Government from the 17th of March 1740, allso the Naval Officers Accounts, who hitherto has only sent them to the Commissioners of His Majestys Customs. The Receiver Generals Accounts remain unadjusted, there being a dispute in some of his charges between him & the Assembly, which being left to a Committee of both houses to adjust, I hope to have very soon Settled & deliver'd to me, also the receiver generall of the powder ; received from November 1731 by Virtue of an Act of this Government, all which shall be transmitted to your Lordships by His Majestys Ship the Deptford, now loading masts for the Royall Navy in this Port.

The great Confusion I found in all the Offices in the Government on my Arrival has hitherto prevented my complying with my duty, and I would hope your Lordships will receive that as an excuse for my delay, promiseing that when these disorders are regulated, I shall punctually Comply with my Obligations in that respect

By His Majestys 42d Instruction I am ordered to take to my Assistance the Surveyor General of His Majestys woods or his deputys, to make inquiry after certain tracts of Lands within this Province, fit to be reserved as a Nursery for Masts, Yards & Bowsprits for the Royal Navy, In obedience thereto I directed the Deputy Surveyors of His Majestys woods to make a diligent inquiry, by themselves, & others, from whom they could get the best information, and I now transmit the said Deputy Surveyors report thereon to your Lordships ; On which report I begg leave to Observe, that tho' there is yet left in New Hampshire a great quantity of trees, fit for His Majestys Use, Yet there is not any great body in any one place, that I can yet discover, Except on a river called Piscataquoagg, which I am but this day informed of and on that river and on its borders are Narraganset N 3 & 5 New Boston, & Halestown, granted by the Massachusetts without any reserve of Mast trees for the Royall Navy

I shall make it my particular care to make a further inquiry, regarding a Tract of Land for a Royal Nursery, which I shall make a better discovery of, when any New towns are Survey'd, and in all grants that I make, I shall not only reserve all pine trees, but give directions to the Surveyors who plan the towns out, to take an exact Account of the certain Number of pine trees fit for His Majestys use, growing within said township, which shall be inserted in the plan and lodged in the Secretarys Office, & that the preservation of Such trees shall be one tenure by which the grantees hold their Land, This is an Expedient I have tho't upon, & I hope it will greatly tend to the preser-

vation of His Majestys woods, & I shall be glad if it meets with your Lordships Approbation.

In the years 1735 & 36 the Government of the Massachusetts granted Near forty townships in the Lands then in dispute with New Hampshire; and altho' that Government claimed only three Miles North of Merrimack, yet their grants extend more than fiffty Miles north of the West line. from Pautucket falls, and I have good Authority to represent to your Lordships, that all the Lands between Merrimack & Connecticut rivers, that are fit for Settlements, are Erected into townships by the Massachusetts, or granted to private persons or for private uses, in none of which grants is there any reserve made of Mast trees for his Majestys Use, Neither is there one of these towns regularly Settled, Notwithstanding; many of the Proprietors are petitioning His Majesty to confirm said grants, others have refused to joyn in the petition & wait the Event, and some few have petitioned this Government for a Confirmation of the Massachusetts grants but I am apprehensive it is not in my power to confirm any grant made by that Government, If I govern my Self by His Majestys Instructions.

On my first Arrival, I was in Expectation of haveing the affairs of the Government Settled before this day haveing informed your Lordships in my first letter, that all the Inhabitants from the Sea to Pautucket falls, had Petitioned, to be incorporated into townships, Accordingly I began regularly at the Sea and incorporated one township by the name of South Hampton, to the Satisfaction & Content of all the Inhabitants, upon which some of the Inhabitants of the Massachusetts Stired up a great Number of the Petitioners to this Government, in Conjunction with some of the proprietors of the New Towns, to Petition his Majesty to confirm them in their grants from the Massachusetts, which has created a great uneasiness in this Province and tends greatly to prevent its increase, And unless it should be his Majestys pleasure to put an end to Applications of this Nature, It will be Impossible for me to carry His Royall Instructions into Execution.

New Hampshire sits down by His Majestys determination, & have Shewed the greatest obedience thereto, by paying the whole Expence of running & marking out the boundarys in Exact conformity to the Royal determination, and therefore think it a great hardship, that the Massachusetts should lead them into any New Charge, in a dispute that had Subsisted near fourscore years and which has been so Solemnly determined

But should it be his Majestys pleasure to condescend to any alteration on the West line, I would humbly offer to your Lordships that there should be also an alteration in the North line upon Newichwannock river in favour of the Crown, as is marked in one of the Com-

missio^{rs} plans herewith transmitted to your Lordships, by which will be Secured to His Majesty in the bend of Newichwanock River, the only & greatest growth of Mast trees in all America, which being reserved might Serve the Royall Navy for generations yet to come, in this bend of the river was Granted a township, called Towow marked in the plan, & I am informed that According to the tenor of the Grant it reverts to the Massachusetts for want of proper Improvements, which I have Advised Governor Shirley of, and I am very well assured he will not Strengthen that grant by any Act of His, after the receipt of my letter, & if I am rightly Informed there is not a Single house built, or one acre of Land Improved in the whole township: but the people to whom it was granted reserve this body of timber not to be equal'd in any part of the world, for their own private use, & claim it as a private property

My Lords

It is of the last consequence to the peace, as well as to the Strengthening the frontiers of this Province, that there should be a Speedy Issue to the Applications of the Massachusetts, Haveing at this time near forty Petitions from the Inhabitants of this Province, & the Neighbouring Governments, for New Townships, but I have not ventured to make one grant fearing I should interfere with the grants made by the Massachusetts, & thereby lead the people into innumerable & endless contentions, I hope therefore your Lordships will think it worthy your Consideration to give me directions how I shall proceed in that matter, haveing hitherto Acted with the utmost caution, lest I should construe my Instructions beyond what was intended to be his Majestys Will & Pleasure.

On the 15th of May 1742, I transmitted my reasons to His Grace the Duke of Newcastle for Suspending Richard Waldron Esqr one of His Majestys Council, & should at the Same time have recommended a person in his room but I thought it my duty to wait a proper time for his Graces approbation, besides the reasons offer'd to His Grace, that Gent^{m} has allways been an opposer of His Majestys Interest in the Kings words, an Enemy to the Constitution of this Government. Imediately under the Crown, and from his behavior in every respect, I could not confide in him to advise or Act where the Interest of the Crown or Government lay at Stake; I do therefore with your Lordships Approbation recommend Theophilus Smith Esqr a Native of this Province, & a man of Good reputation & Estate to succeed Richard Waldron Esqr

I have by this Conveyance Transmitted to your Lordships my Answer to the Several Queries relateing to New Hampshire, which I have endeavoured to do from my own knowledge & the best informa-

tions I could have, in every particular. If I have omitted anything, or have not been particular enough in my present Answer, I shall use my diligence to Amend it in my Next. I begg leave to Subscribe my Self, My Lords.

Your Lordships Most faithfull Servant

B Wentworth

The Right Honourable the Lords Commissioners for Trade & Plantations

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[3–103]

[*Report of the Lords of Trade and Plantations on some Acts Passed by the Legislature of New Hampshire*, 1743.]

To the Kings most Excell[t] Majesty May it please your Maj[tie] —

We have had under our Consideration three Acts passed in your Maj[ties] Province of New hampshire in April 1742.

We have also consulted M[r] Fane, one of your Maj[ties] Council at Law upon the Said act, who has no Objection to any of them in Point of Law, but we must beg leave humbly to represent to your Majestie —

That, in the Act Entituled, An Act for granting unto his most Excell[t] Maj[tie], the sum of four thousand Seven hundred & twenty Pounds in Bills of Credit on this Province Equal to So much Proclamation Money, for Supplying the Treasury, for Discharging the publick Debts, and for other Purposes in this Act hereafter mentioned & for appropriating & Drawing in of the Said Bills into the Treasury againe —

There is a Clause directing the different Times & Proportions of Drawing in the Said Bills into the Treasury againe, whereby the first payment, of any Part of those Bills is to be in May 1744: & the last to be compleated in 1749: by a Tax to be levyed on Poles & Estates, Real & Personal, of the Inhabitants, which is an anticipation of the Taxes of the years 1744: 45: 46: 47: 48: 49: & will continue the Currency of Some part of those Bills till the End of y[e] yeare 1749

There is likewise a Clause whereby "The Inhabitants are allowed to pay the Tax to be levyed on them for drawing in the Said Bills in Commodities of y[e] produce or Manufactory's of this Province," which Sort of paym[t] we apprehend may cause an annual Deficiency in Said Taxes, But for as much as there is a Clause which provides, That Such Deficiency Shall be made good, the Subsequent years, and as the Sum Emitted by this Act do's not am[o] to that allowed for the Curr[t] Service of this Province by your Maj[ties] Instructions, we would

humbly Submit whether the Said Act may receive your Majesties Royal approbation —

That the Act Entituled An Act for ascertaining the Value of the Money & of the Bills of Publick Credit of this Province granted this present yeare for the Supply of the Treasury & for Securing the Credit of the Said Bills : being calculated to Support the Credit of the Bills, Emitted by the preceeding act, and relative to the Same, We are humbly of opinion that, if your Maj^tie Should be pleased to approve of the first act this also may receive your Maj^ties Approbation —

That the Next act for Emitting the Sum of twenty five thousand Pounds in the Bills of Credit on this Province Equal to So much Proclamation Money, upon Loan, and for granting to his Maj^tie the Interest that Shall arise thereby, for the purposes in the Said Act mentioned : wch Sum is to be called in at different Periods, the last Ending in the yeare 1752 : is intending to accommodate the Inhabitants of New Hampshire with a Certaine Quaintity of Paper Currency, by a Governm^t Loan at 6 ℔ C^t upon Mortgage of their Real Estates, & from the Interest arising thereby, to defray certaine Expences of Governm^t vizt Part of the Govern^rs Sallary, repairing & Building Forts a State house, cutting Roads, Erecting a Light House, repairing the Prison & other Publick Charges, which will Create a Paper Currency in this Province much more Extensive than what is allowed by your Maj^tie & Instructions,whereby they are restrain'd from having any more than Six thousand Pounds Paper Bills Curr^t at one and the Same time, for which Reason we Cannot lay this Act before your Maj^tie for your Royal approbation : However, we think our selves obliged to inform you Maj^tie That we have been attended on this occasion by the Principle Merchants Trading to the Province of Newhampshire, and having had some Discourse with them upon the Said acts we find, That they are of opinion "That the Sum of twenty five Thousand Pounds proposed to be Emitted by those acts will not be more than is absolutely necessary to carry on the Trade and Business of this Collony, and will be the best means to prevent the base Papper Currency of other Provinces from becoming the Medium of Trade in this. That they do not apprehend the distant Periods fixed for calling in the Said Bills or any other Matters contained in those Acts, can prejudice them, as the Act for ascertaining the Value of Money and the Bills of Publick Credit, will remove the Evill which has hitherto, arose from the New England paper Currency by Securing any Creditor the true Value of his Just Debt" —

"That they are also of opinion that the Speedy emission of Such a Sum as is here proposed to be Emitted is absolutely necessary for the Security of this Province and the Valuable Ships constantly

Trading there with masts, yards, & Bowspits for your Majties Royal Navy and of the whole Trade and Navigation of this Collony as may more fully appeare by a Coppy of their Representation hereunto annexed" all which is humbly Submitted

Monson
Whitehall ffeb 4th 1742/3 Edwd Ash
Mr Bladen
R Plumer
Copy B Keene

A Paragraph of Mr Agent Thomlinsons Letter

The Loan Bill being contrary to the Govrs Instructions, the Lords cannot Lay it before his Majtie for his approbation, However they have Annexed the Representation of the Principle Merchants Trading to your Province to their Report and have prayed for a Coppy of it, in Order to delay the Consideration of it untill I can take the most adviseable Steps to have it properly considered by the Committee And I am not yet without hopes of Success — I have also been at Some charge and a great deale of trouble at the Council office, and board of Ordinance upon your application for Stores, and his Majesties orders are that an Ingineere Should be Sent, if not one in the Country already, to Survey the Fort and Guns, and Send an account wt Gunns will be proper to Send over, as they Suppose the old Guns are not fitt to be trusted to, and also to Direct you in repairing the Fort. This Report I must pay the fees of and it had been Sent to Mr Basteed the Ingineere by this conveyance, but choose to keep it here, until your Money Bill is considered, to Shew what we are to do, and which we cannot do without his Majesty Shall approve of the Loan Bill, I Shall not leave one Stone unturn'd to get this Bill approv'd however I may Succeed —

[Endorsed] Lord of Trade's Report on Three Money Bills : passed in N. Hampsr in Apr 1742 — & a Paragraph in Mr Agent Thomlinson's Letter — 4 Feb. 1742–3.

[3–104] [*Attorney-General Livermore's Opinion*, 1743.]

Sr In obedience to his Excellys Command I have considered the Querys and Table of Fees you Sent me, the Sixth Instant, and my Opinion upon them is as follows, Namely as to the first Query which is "Whether the Govornrs assent to an Act for Establishing a new

"Table of Fees, Fines & Forfeitures will not Superseed alter or Re-
"peal Acts already in Force relating to the Fines & Forfeitures"

My opinion is, That the Govorn^{rs} assenting to Such an act, will during the Continuance of Such act, Supersede all other acts in force (at the Time of passing Such Act) relating to Fees Fines & Forfeitures, but not Repeal them without Special words for that purpose —

As to the 2^{d} which is, "Whether a Publick act can be Drawn upon "different matters without providing for the Same by different acts, "and without intermixing in one and the Same act things that have "no relation to Each other"

My Opinion is, that a Publick act may be Drawn upon Different matters without providing for the Same by different acts but not without intermixing in one and the Same act Such different things as have no Relation to Each other —

As to the 3^{d}, Which is, "Whether an act can be drawn to alter the "Fees already Established by Law and to fix a New Table (agreeable "to the Table of Fees Exhibited by the Committee to the Genl Court) "Such act appearing to be new in it Self & not mentioning any "former act or acts, as will not Supersede or Repeal an act or acts at "the Same time in force relating to Fees"

My opinion is, That Such an act cannot be drawn, but it will during its continuance Supersede an act or acts in force at the time of passing Such act, relating to Fees but not repeal the Same without Special words for that purpose

Province of New hampshire December the 7th 1743

The above I humbly offer as my Opinion upon the foregoing Querys, and am his Excell^{ys} most obedient humble Servt

Matthew Livermore Att Genl

To Theo^{d} Atkinson Esqr Sec^{ry} for the Province of Newhamps^{r}

Copia Exam^{d} ℔ James Jeffry Cle^{r} ass^{m}

[*John Thomlinson to Theodore Atkinson.*]

[Belknap Papers, Vol. I., p. 63.]

London, 21 Jany 1737–8.

Theodore Atkinson, Esq.

Sir — I have now to answer your favours of the 9th & 14 of December pr Capt. Homans, and shall send you those goods you write for by one of the Spring Ships, but fears shall not be able to pay the draught you propose sending on me of Eighty, for at present hath not the

least prospect of coming into any money for either Mr. Wentworths ship or his Cargoe, and suppose we could sell them I fear even then he hath drawn more than they will neat, several of his bills I have already sent back which I am surpri[d] at his drawing, for his Capt. and his son could have told him how things were here — I am sorry for him.

You nor any of my friends hath not been so kind as to take any notice to me what you have done in the affair of the lines, I really think that (at last) was Due to me, and without you are determined to drop the affair you ought by the very first opportunity to have sent me those materialls that the Assembly hath prepared : that we might have been first in y[e] affair, which is here a principle point, and the Extra Treatment you have met w[th] in the execution of his Maj[tys] Commission would have turned out (if I am not much mistaken) very much to your advantage.

I dont know what the Coll[o] is about or does he seam Resolved, and when I have put it to him If he would have the Gov[mt] of N. Hampshire, supposing we should obtain a division, he will not Resolve : what other views he may have I know not. I heartily wish him well, and I fear very much, he hath not a Right way of thinking or soliciting in his own affairs, and I am afraid not any thing like the Interest I expected he had. However you will not take notice of what I say on this head, least our enemies triumph, and it may still happen (if I have any materialls soon from you) that he may come out Gov[r] for your Province. The Mass[a] augmenting the number of their Agents dont at all Discourage me, altho' they are endeavouring to play you a sly trick I shall doe all I can to prevent it, Tho' they do not think I have the least notice of it.

If when these come to hand, if you should have despatched papers so as to be here in all this month, And as perfect as you could let me have a list of such as you, Mr. Jeffreys Mr. Rindge &c, would have in the Council & in the Room of whome : While I was at Bath I heard that Gambling was dead, and wrote Coll. Dunbar how he should put John Rindge in his Roome : But not being done when I came to town I imediately got him recommended, and he will be approved of by his Maj[ty] the next Council ; and I hope shall send his mandamus by one of the first ships for Boston : how agreeable it may be to him I know not, but I should think that in your present situation it were incumbent on you and your friends, to write me as soon as a vacancy happens in the Council, who you would have it filled up with. I hear my friend Richard Wibird hath a desire, if you should think him proper I will endeavour to get him Recommended to his Maj[ty]. Please to give my service to him and let him know so much.

I have just now heard that Rhoad Island designs to change their agent, because the Massachusetts has appointed him one of theirs (and I think they will be in the right of it) so I should be glad that you would write to your friends at Rhode Island in my favour, I think I am situated to doe them as much service as any body, it might at least be a means of bringing me into some of the Business of that country: I shall allways be ready to acknowledge all obligations of that nature and am

Sir, your most Hum^{l} serv^{t}

John Thomlinson.

[The Belknap Papers are in the possession of the New Hampshire Historical Society. A portion of them were printed in Vols. IV. and V., and the remainder, which seem to be of equal value, will be inserted in this volume. — Ed.]

[*Mr. Paris to Mr. Thomlinson*, 1737.]

[Belknap Papers, Vol. I., p. 65.]

Sir — Two nights agoe I received great heaps of papers from you about the lines & have since been 4 times at the Coll^{o} office & Board of Trade to discover what I could in this imperfect affair, But cannot see the case (which has come over to the Board of Trade) till after Tuesday next. Notwithstanding wch I have (as well as I can without proper materialls) drawn up a long pet^{n} of Appeal to his Maj^{ty}, and as the Massachusetts have not yet presented theirs I send you the Dra^{t} of it now to settle, and hope too shall have our Appeal (as well as the Pettition from the New Hampshire Assembly) in before the Massachusetts gets theirs in. Had your principalls considered the great consequence & advantage of being first, surely in all this time they would have sent you a copy of their proceedings, in order to have enabled us to be first, but as it is I am forced to g'ess at matters & affirm facts at adventure or upon dubious passages in letters which is a sad way of proceeding, & I wish we dont mistake some facts. They oblige us to make brick without straw.

I beg of you to write them immediately:

I am told the Com^{rs} adjourned their Com^{n} to 1 aug. 1738. If it be so I desire y^{r} Principalls to get it adjourned from 3 months to 3 months. One Com^{r} is sufficient for that purpose by the Commission, which can be no great expense, and one does not know what Turn the matter may take, it may be sent to the Comissioners again — and

then unless they keep this Com^{n} alive by continuall adjournm^{ts} they'l be put to the heavy charge of sueing out a new Commission again. I wonder they would not send me my papers wch I sent them the * 1677 & 1678 and the first Com^{n} to a Govr of New Hampshire & the Att^{s} & Soli^{s} Genneralls opinion, &c. And above all things why did not they send a Coppy of their own Appeal, for want of it I have been forced to g'ess what that appeal was from loose passages in Mr. Atkinson's Letter.

If we had treated this affair so on this Side it would never have came to what it is now. As to the pretended votes of Assembly, I never saw such irregular scrips of papers in my life, some signed some not signed, none attested to be votes of Assembly.

This was in their power to have sent Regularly. But as they are now sent its impossible to have one of them read. There are numbers of mistakes in them allso. Some dated in the beginning in 1735, and at the end of the same paper in 1737.

Begg them imediately to order an exact coppy to be made of all their votes (in genneral) from the 31 March 1737 down to the end of Octr 1737, & to be made fair at full length,with the title of each days votes to be copied out in one large Book, and to be copyed very fair by a good hand, and at the end lett them be attested by ye clerk of ye Assembly and if you can't have the great Seal to them let them be also attested by the Speaker of the Assembly, to be true coppys of all the votes of the Assembly of N. Hampshire from such a day to such a day contained in so many foregoing pages. It will be a sad thing if you cannot get the Seal to them, and if not, I dont know we shall be able to Read them here as Evidence.

The next best Authority (if we want the Seal) that I can think of is, that some body coming hither should either Examine them with the Minute Books (so as to be able to swear here that they examined them themselves and that they were true Coppys, and that they saw the Speaker & the Clerk of the Assembly sign them) or else to take some passenger who is coming hither and let him see & attest to the swearing by the Speaker & Clerk before some Magistrate whom he knows has power to administer an oath, that the Speaker & Clerk did make oath to the Truth of those Copys.

Had those votes come here Regularly and authentically his Excellency wo'd have been shaken quite down in a few weeks by them. You'l observe I have laid it on him pretty handsomely in my petition to the King.

If your Friends are in earnest they ought not to loose one hour in sending over all those matters in the manner I have mentioned.

[* One word I cannot make out. — Ed.]

The votes as now sent are rather Historical Certificates of what was done in Assembly and in Co[ll] in New Hampshire, and what was done in the Assembly of Massachusetts & before the Commiss[rs] than meer votes of the Assembly of New Hampshire

There is no minute of the prorogu[ing] the New Hampshire Assembly on 2[d] Sept. However to cure that let them send the whole Regularly as well what does not as what does relate to the matter.

I believe it would save you Trouble to send this letter immediately to them, and am, Sir, your most obed[t] hum[l] Serv[t]

Fred John Paris.

Surry Street, Saturday morning 4[th] Feb[y] 1737 —

Surely to Copys of Minutes & Votes the Gov[r] would put the Seal if desired.

To Mr. John Thomlinson.

[*Thomlinson to Atkinson. "Copy ℔ Shepheardson."*]

[Belknap Papers, Vol. I., p. 67.]

London, 10 Feb[y], 1737 —

Theodore Atkinson, Esq.

Sir, — I wrote you largely last month by the way of New York so shall not here trouble you with Business, defering that untill Capt. Homans shall sail. What I chiefly design here is to press you and Mr. Jaffrey to give your uttmost assistance to Messrs Wiggan and Rindge, who will communicate to you my Letters &c. &c. by this Ship, and that you will without any noise or contention goe directly to work, and dont let any trifling difficultys prevent your doing directly all and every thing Mr. Paris hath given you directions about, and let no reports or Terrors of your Enemies deter you, and the order sent him, G. B. to answer your Memmorial was sent him for very good purposes, howe'er he may take it, and let us but have proper materials as you have had directions and dont be in any pain about the success of your affairs upon the hearing, and be as carefull as possible of giving any offence to y[e] Gov[r] in the mean time; and could you but be made truely Senceable of the good disposition that appears in several of the Laws of his Maj[tys] Privy Council to doe you strict justice, you would Labour night and day untill you have p'fectly done & dispatched every thing we want from you. You will communicate this only to Mr. Jaffrey, for I find secrecy and quietness is necessary in all affairs of this nature, here, as I am sure it must be

much more so in your present sittuation. I assure you nothing shall fail here by my neglect. I am

Sir, your most Hum^{l} Servt

John Thomlinson.

Pray send me the names of those Councillours that was present & passed ye votes for no appeal. It may be of use here.

I believe you may be easy about any land that hath been granted away* since his Maj^{tys} Commission was obtained for settling the Boundarys

* Suppose Kings-wood.

[*Atkinson to Thomlinson*, 1738.]

[Belknap Papers, Vol. I., p. 68.]

Portsm^{o} New Hamp^{r} May 16th, 1738.

Sir — Since my last I have had an opportunity to see how Govr Belcher & his friends rec^{d} the copy of the Assembly's memoriall to his Maj^{ty} in Council. You will by this Ship see the Difficulty that attended their affairs in geting the votes of the House certifyed & after waiting 10 days were disapointed at Last, so that unless the method they have taken will be allowed they have no way to prove their allegations. The Gov^{t} Party at the same time have been very Industrious in making his reply & if we are not wrongly informed intend to prove this People here as factious not only now but in former administrations, that they were so in Govr Shutes & Burnets time & that the Speaker that is now at the head of this memoriall was displaced by Govr Shute & that he hath ever since carry'd on a malicious party cause; that he was Displaced by Govr Shute from the Comission of Peace is certain & by a misrepresentation made agst him which the very next time he came into the Gov'ment he was truly sensible of & restored him, he was then only Capt. of the militia & a Justice of the Peace & a Representative for the Town of Stratham. Soon after this he was not only restored to his justice place, but had a Coll. Comission of the Militia, a Judge of the Superiour Court of Judicature — this from the Govr & Council, and soon after was chosen Speaker of the House, which last he hath had the Hon^{r} to Sustain by a great majority of votes ever since, tho' the Assembly hath been so often disolved, — 'tis true Govr Belcher in a very Extraordinary manner dismissed him from all his Imployments by a Letter read in open Sessions, which Letter he hath Endeavoured to get a copy

of but 'tis not to be found. Coll. Dunbar had a copy of it & sent it to the Board of Trade in which it would appear he never had the advice of the Council but sent orders from Boston, ex mere motu.

As to the People of the Province being factious or contentious his Speech will contradict him. There he says that we had Done every thing that could be expected from a Loyall People, & upbraided the Massachusetts with the same, & I am sure never any compl^{t} either by or agst the people was ever before his Maj^{ty} till his administration, his friends have been to the representatives to signe ags^{t} the vote wherein his administration was voted a grievance nem^{ne} Con. What Encouragement they had at Dover and Exeter I know not, but I believe no other member of that house were they now sitting but would vote the same. 'Tis industriously reported about the Govern'm^{t} that those Persons that signed the remonstrance would be sent to England in Irons, this is Done in order to make them recant, however those that signed it I believe will scarce be fearfull of what they have Done they are are appointed by the House from several Towns, no two of one Town & the number so large as seven, what is often a majority of a House, that in case of any Dispute of its being the oppinion of the Governm^{t} it might not look like the oppinion of a few & the Speaker of the House for that reason was appointed as one at whom they seem to point their spleen in a particular manner, now he hath been allways remarkable for his Loyalty & Duty to the King as well as Love to his country, his family & Estate oblige him to the Latter & his Principles & Inclination to the former, he hath been constantly in the House for more than twenty years w[h]ere he behaved so well that he hath been for more than 12 years Speaker, in all the changes we have had in that Time. I tho't myself obliged to write thus much of Coll. Wiggin that you might know when he is represented in wrong colours.

I should be sorry if what the Comittee hath sent should be rejected as not authentick. I think the most they complain of is in Gen^{ll} terms his being arbitrary & Partiall — the first is plain by his disposing of all Civil offices & Imployments without the concent of the Council which he hath never asked since I have had the hon^{r} of a place at that Board, & I believe were the Journalls of the Council (which he does or ought to send home Quarterly or half yearly) viewed, there would be no mention of the Council in any appointm^{t}. His Denying the Seal or putting such a Clog to it as renders it useless to the subject — his declaring himself the Judge of the Elections & Quallifications of the members return'd to serve in the House, besides his many Dissolutions of the Assembly, which tho' absolutely in his power, yet if Done to force the People into his way of Thinking

may be looked upon as arbitrary; as to his being Partiall, the whole of the affair at Hampton which Mr. Parris hath a just notion of will make that point clear togeather with a natural reason for his being so, for if the Massachusetts gives him £1000, to deny us an agent? an appeal, money & time — to allow them all those things he is paid for his partiality. He did not meet the Assembly on the 3d of this Inst. but gave out the House would be prorogued till July next but never Issued his Proclamation in the newspapers, till the Day the House were Prorogued to & then finding the Speaker & majority of the House were in Town after the Time appointed for their meeting the Secretary posted up his Proclamation upon the Door of the House 'tis beleived the Govr intended the Assembly should Drop by not meeting, & that no Proclamation would have appeared had not the members have been in Town, for not one of the Govrs friends appeared. Whether this was the scheme or not I know not but the Assembly now stands Prorogued till the 13th July next, had they met they might Probably have Enforced their Complt * I presume Mr. Jaffrey & Peirce writes you by this Ship to which I beg leave to refer you, — & am, Sir, Your very Huml Servt

Theodore Atkinson.

I hope the Jerseys being seperated from N. York will be a President for us, their Constitutions were the same, ours widely differing.

[Endorsed] Letter to Mr. Thomlinson abot Speaker Wiggins

* I have rd of the Comissrs & other affairs of the Lines, or at least attempted it, which now lay shamefully unpaid & will continue so I fear while Govr Belcher sustains his Comission. I write Coll. Dunbar which he will communicate.

[*Thomlinson to Atkinson*, 1738. "*Copy pr. White.*"]

[Belknap Papers, Vol. I., p. 72.]

London 14 July 1738.

Theodore Atkinson, Esq.

Sir — I have two of your favours since my last to you of the 2d May and observes the contents, and as the Massachusetts agent & Solliciter I believe designs to take the only advantage now left them of Delaying the settlement of the Boundarys, pretty well Judging what the consequence of the next hearing must be, That is, they will let the whole year allowed for Appeals be Expired Before they pre-

sent theirs, altho' it came here with Coll° Quinsey redy p'pared and m.ght have been presented the next day, and they have allready by their delay prevented us comming to a conclusive hearing untill late in ye fall. So I have Returned some papers to John Rindge, and wrote him fully how to send them more complete, and at all events have the Province Seal to them. Take the Govr in his own way, that is get the Province Seal to those papers as I have Directed by all means, and I hope you will give all the assistance you can in doeing as I have directed John Rindge, which he will communicate to you. Coll. Dunbar says he hath left with you the late Mast contract, and that you will favour John Rindge with it a while to compare it with some thing I have sent him. I shall shortly write you again and am, Sir — your most hum^l^ Servt

John Thomlinson.

P. S. If Benning Wentworth is with you pray give my service to him and tell him that his Creditors here, as well as myself, was in hopes that what Mr. Pollard wrote him to Cadiz, would have Brought him this way for we are of opinion that if he was now here something might be done for him, and his Creditors are now signing a Letter of Licence for twelve months which will be signed and in my hands in a day or two, in order to Encourage him to come here, to see if something cannot be done for him in one shape or other. Capt. Pollard can tell him some thing of the affair.

[Superscribed] To Theodore Atkinson, Esq. at Portsmouth New England.

[*John Thomlinson to Theodore Atkinson*, 1738.]

[Belknap Papers, Vol. I., p. 73.]

London 1st Septr 1738

Sir — I have 2 of your favours of 26th June and one of 17th July before me and note the Contents of the two former and have given Mr Jones the Inclosed papers he says he hath sent you his account curant and you will have mine by the next opportunity. I hope to secure you Mr Wentworth's bill of £80. I was affraid that his timber would have layn untill it had been all spoyld, for never was offered one penny for it untill yesterday, and think now shall dispose of it at a poor price, for long Credit; but to a very good chapp, but we have

not absolutely agreed, but I think as good. I am obliged to you for giving me every Information you can of the Massachusetts proceedings that may any ways effect your provinces, but this a most redículous one and can do you no hurt alltho the Lawyers here say that ye heirs of Allen hath a right to some part of your province, but however that be it will no ways hinder the Settlement of the Boundarys, and pray don't be affraid that any tool of Belcher will be set over you when the Governments are separated. — I observe what you say concerning Mr Jaffreys, I have wrote to him & Mr Rindge on that head in a few months now we shall have committees of council and we shall I hope bring our troublesom affair soon to a determination and shall do everything in my power to make you easy, and am most truly Sir your most obedient hum^l^ Ser^t^

John Thomlinson

Theodore Atkinson Esqr

[*John Thomlinson to Atkinson*, 1738.]

[Belknap Papers, Vol. I., p. 74.]

London 8 Feby 1738 —

Sir — This is a very busy time and not having any from you for some time past I have only to reffer you to what I have wrote Mr. Rindge on the Province affairs and for once let me Begg and Intreat you to apply with as much diligence to doing what I have there directed as you did while the Commissioners set at Hampton, and I hope you will soon receive the fruites of your labour.

I cannot give you any particular acc^t^ how poor Pike's accounts will Turn out here not being able to settle the ships affairs Mr. Parsons hath only sent a little paper Book such as you roole up in your pocket like a Tobacco pouch and a few loose salors reciepts Mr. Wentworth nor myself cannot make any thing of it, we have had a great deal of trouble in paying his Seamen I shall as soon as I can render you an account of his affairs that shall come into my hands Mr. Wentworth and myself hath opened severall letters that were Lodged at my country house for him, in one of which was a small bill from Mr. Shurtliff and a memorand^m^ for some things which shall ship him very soon. I shall soon write you when I shall have more leasure I am in the mean time Sir, your most hum^l^ Servt

John Thomlinson

[*Thomlinson to Atkinson*, 1738. "*Copy pr Shephardson.*"]

[Belknap Papers, Vol. I., p. 75.]

Lond^{o} 23 Feby 1738 —

Theodore Atkinson, Esq.

Sir — I have just received Two of your favours pr. Capt. Homans, one of which contains your remarks on the Committees of the Massachusetts Bays proceedings on my Petition of Appeal in behalf of your Province. I am sorry that there should be any mistake in s^{d} Petition of any kinde whatever, but that there is, it is solly owing to yourselves, for after you had the proceedings of the Commiss^{rs} Ready to send home, you must keep them by you, when at the same time you saw the Massachusetts hurrying away theirs & Coll. Quinsey, so that the Petition was obliged to be drawn from the best account we could gather from letters, and other Loose accounts. I have wrote by three or four last Ships to Mr. John Rindge which he will shew you. There you see the True Sittuation of your affairs, and what you have to do, and if you can do it, you may most faithfully expect all your wants redressed directly, but if you do not & very correct & p'fect too, I will not tell what you have to fear. I am sorry to say that every thing can be sent home p'fect from the most Trifling Gov^{ts} his Majesty hath, and not from yours. I know you plead difficulty, but that might be pleaded in other places, and your great want is want of application, both in considering & doing things, and I think I may without vanity say that I have mett with & surmounted more difficultys here and took more pains in your affairs here than all you together, and Mr. Wentworth will one time or other make you senceable; you will doe well when you send the several papers (we expect from you soon) to send with them Govr Clarks & Mr. Livistons letters which you mention in your letters of the 23 January, or any other proofs that the Commissioners had timely notice of their being to meet at Hampton on the first of August, that is that they had the Coppys of said Commission time enough and allso that Govr Belcher had notice of the same before he adjurned your house of Representatives from the 6th July to the 4th of Augt and the trouble I now give you in doing what you have directions about here, and in Mr. Rindge's several letters, is the last and only trouble you can have on your side the water, and I must expect that you and all of you, apply dilligently to business and let me have every thing correct & perfect, and as soon as possible Mr. Waldo hath wrote Mr. Shirley to give you any advice and assistance, and to do it gratis, for he sees and

knows the consequence it must be of both to your and his affairs. Therefore I hope you will not at the very last Disapoint,

Sir, your most humˡ Servᵗ

John Thomlinson.

[*Thomlinson to Atkinson*, 1740.]

[Belknap Papers, Vol. I., p. 76.]

London 4 April 1740 —

Sir — These are to Inclose you Invoice and bill of Lading for some Spanish and Swedish Iron I had shipt it all Spanish as you directed only not any squares to be had of that sort so knew that you must have square Iron there is double your Quantity on board of Both sorts half consigned to Mʳ Rindge the other half yours so that you must divide it exactly between you — as to Robert Pikes affairs it will be utterly Impossible for me to settle them untill Mʳ Parsons sends me his accounts, besides we have several Demands from Sᵗ Christophers for stores and other things supplyᵈ him there but cannot tell what was for the ship Charming Molly or what was for the other Vessells that were consigned him while he was there or what was for his own account the time and Circumstances of his death was a great misfortune to his friends and some to his owners Tho not so much, for had he lived the whole ship had been sunk and it is not much worse as it is I have paid Mʳ Plumer his demand on me for your Cloths being £16. 6. 6 But I cannot yet settle with yᵉ People that Bought Mʳ Wentworths Timber therefore cannot tell you how much of his bill of Exchange to you I shall be able to answer they promise now soon to do it and so soon as they do shall settle the whole account with him and acquaint you how that affair will turn out.

John Rindge will have acquainted you before this comes to hand that your Boundarys are settled and how, and as soon as my Lord President is well recovered to finish the report and have it confirmed by his Majᵗʸ in Council I shall have something more to write you, but by your proceedings you don't seem to want any thing further, but Rather Tacitly to desire, with your other countrymen, to continue under the most acceptable administration of G. B. Surely if this was not the case you would have directly done what I pressed you to do in mine of the 20ᵗʰ of August and sent me that directly, and a vote as soon as you could obtain one, I could have told you that Mr. B—r would not let you have an opportunity to pass such a vote readily, he

knew better altho' you could not se it, I could see it at this distance, and Therefore begg'd of you to do the best you could, and which he could not prevent your doing, but your supineness answers his purpose Quite as well. It may be If I had drawn a letter myself you might have vouchsafed to have got some such slovenly Clerk as John Bradford to have copy'd it, and sent it home barely legeable, and I have abundant reason to wish I had done so, for If we had not had the other Letter (Blind as it was) we should have suffered greatly, but that cannot serve all purposes, however I hope now I shall have very little more to trouble you for, and therefore shall not be again so disapointed, or shall I say any thing more to you on this head, and am

Sir, your most humˡ Servᵗ

John Thomlinson

Theodore Atkinson, Esq.

[Superscribed] To Theodore Atkinson Esqʳ Merch. In Portsmouth New England ℔ Capᵗ Jones.

[*Thomlinson to Atkinson*, 1740.]

[Belknap Papers, Vol. I., p. 77.]

London 23ᵈ June 1740

Sir — I have here to acknowledge your favʳ of yᵉ 9 May, which as soon as I received I communicated to Benning, who was with me, very sorry for the loss of honest Mʳ Plumer, however we spent the evening with his sorrowfull unkle and Brother, and put things upon such a footing with them that we had great hopes of succeeding for you, and agreeable to the scheme we had formed Mʳ Plumer went directly to his friends the next morning upon this account, and they went imeadiately to Sir Robert Walpole and to some others, but have no Encouragement. But are told that they have so many to provide for that it cannot be done, neither can it be obtained for a sum of money but of the Person whome it shall be given to, and if so it will not come at double the money that you propose, for it is Rated high here, for after Mʳ Plumer had got it he was offered £800 sterling for it —

I have nothing to write but to refer you and my other friends in your place to what I have formerly wrote them not having had one single line from any of them this six months, only the Committees short Letter, and short useless Vote, in which Vote, had they only said, That for the service of his Majᵗʸ and the good of the Province they

desired to be made into a seperate Governm^{t} and they would give the Govr whome his Maj^{ty} should be pleased to appoint over them to the utmost of their ability, &c. And the Committee wrote me agreeable thereto, Then by this time you would have had B. W. with you, and with such instructions as it would have been your own fault If you had not very soon been upon as good a footing, as some of your neighbours.

You had great and powerfull friends here, but they are greatly disgusted at your woefull Indolence and neglect of doing what you ought to have done, nay what you promised to do the first day the assembly should sett, and how think you can any thing you promise be depended on for the future, or how can I undertake again to engage for you, and you must know, that your affairs now lays with the greatest men in the Kingdom, and were they not as truly good as they are great, with what face could I again solicit any favours for you, that have thus Idly forfeited your interest, nay your Honour, and as to you Sir, your friend & Brother. —

The extraordinary treatment I have mett with at this most critical time from my Friends, that I have so great a regard for, warms me so that I had almost forgot to give you a piece of history that I suppose you yet know nothing of — Then you must know that the Govr when he was last amongst you, got a very long historical memorial & panigerick upon himself, signed by six of the Council only, viz. S : Walton, H : Sherborn, R. Waldron E. Huske : E. Dennett : J. Sherborn : adress'd to his Majesty wherein they tell his Majesty the absolute necessity of the Province of New Hampshire being Anex't to the Massachusetts or at least being under the same Govr with the Massachusetts, and therein advises his Maj^{ty} to give the Province of New Hampshire to the Massachusetts and give the inhabitants of the Province of New Hampshire in Exchange for those lands they are settled upon, Lands on the other side of the Province of Main. It is a very long memorial or I would have taken out a copy at the Council office & sent it you.* But I have read it every word, and it appears to me to be all of the Gov^{rs} Fabricating, exactly in his own style and Phrase, and signed only by the aforesaid six Councilors, and it seems plain to me to be of such a nature, that they durst not trust any body, even their own officers with the contents, or they surely would have had it better signed, For surely had any body who has any regard for the Province or Themselves and Familys but even known that a petition was preparing, to pray his Maj^{ty} to tear them from their habitations, their homes, and drive them into a Howling Wilderness, they

[* This memorial is printed in Vol. V., p. 915. — Ed.]

would not have fail'd of raising such an Indignation against such petition and its Wicked authors, as they most justly deserved, and God knows what might have been the consequence, and I am very glad it was kept so secret. Now as to the success of it here, you must know that it was presented to his Majty before his Majty set out for Hanover, and since been read before the Lords of the Regency in a General Council, where it met with the treatment it justly Deserved, it being rejected with great warmth.

Surely in time your Province will see and know who are their greatest enemies as well as who are their Best friends, notwithstanding the many scandalous suggestions and lies they have industriously propagated in print & otherways, and it has been purely owing to yourselves that they have not seen & known it already and I have from your conduct conceived such an oppinion of you, Gentlemen, should you now obtain every thing you now desire and want, that you will not make such a right use of it as I could wish or might be expected from you. You all greatly want application to Business as well as method and I fear have not so good a Harmony as I could wish amongst you, however I will still hope, and assure you that I am most faithfully, Sir, your most obedient humbl servt

John Thomlinson "

Theodore Atkinson, Esq."

[*Copy of Letter from Atkinson to Thomlinson*, 1740.]

[Belknap Papers, Vol. I., p. 78.]

Portsmo N. Engld August 4th 1740.

Sir — When I wrote you Last by this Ship, I then determined to leave the Province affairs to those that were less engaged in Difficulties to Prevent their giving you a true state of affairs with us, yet every ones mite is a tribute justly due, and nothing but the trubles of my family occasion by the Loss of a fine girl of 15 months old would have hindered my writing you. I am sorry you should think so hard of us here as you say in your several letters, however many things might be urged in Extenuation were our present Delays occasioned by our neglects but these perticulars I shall not now enter upon, but assure you I imagined every thing you wrote for was done according to your desire tho' you wrote us word that the Papers we sent were enough & tho't the others were only expedient not necessary Such subscription can't be obtained without the Enemies knowledge & gives room for their Petitioning; this you see gave rise to the late

Petitions from the several towns in favour of G. B. Administration. Upon the whole I could were you to be my Judge clear myself from the Imputation of leaving any one thing undon you Desired but this I can't do without accusing those that tho't ourselves as it happens too secure — we here never heard of the clause of the Lords Comiss^{rs} report recomending it to the Province to know their Inclination with respect to a separate Governm^{t} &c. All that you ever Desired was such a Letter as you formerly had, & that if such a Letter or vote of the House did not come in time you should be able to make a good use of the former. However it was our happyness not yours (so imediately) that was in Question & therefore we should have don every thing you pointed out to us & if we should finally be disapointed my concern will be as much upon your acc^{t} as our own because I know you had our Interest as much at heart as we ourselves had. But now to the affairs as at Present, I beg leave to tell you that you have had a Letter Signed by the Maj^{r} parte of the late Assembly sent you via Boston & Duplycate thereof by other ships from hence that Letter is not so full as one you'l receive from hence & owing Intirely to our not knowing Particularly what would be wanting this that comes now is Exactly agreeable to what you say was wanting. Since the signing thereof we have had an Assembly call'd & a vote of the House as full as the Letter & only the Two Gillmans at Exeter desented there were 19 members Present & but 20 in the Goverm^{t} the absent member was at Boston, his name is Gage a Dover member & hath signed the Letter & had he been present would have voted for it so that if these things come seasonably I am sure you have what is requisite we are now holding an Assembly Peculiarly on the affairs of the Levies & this is the first notice we have had (Except in the newspapers) so that no bounty for Inlisting hath been granted by our Province. There came over 30 Blank Comissions for this Continant four of which were sent to Gov. Belcher. [No signature.]

[*Thomlinson to Atkinson.*]

[Belknap Papers, Vol. I., p. 79.]

London 20th Septr 1740 —

Sir — I had your favours by the Bladen, and have delivered the several inclosed as directed, and have told your friend How that we could not succeed in the scheme, therefore he must follow your other directions to him. Indeed had I wanted money to pay for the Collectors place I fear it would not have been easy to have to have got it there, however the money should not have been wanting

The King is now soon expected from Hanover which will bring the nobility to Town, and then shall get your affairs finished, and I hope to all your Satisfaction and I heartily wish you make good use of those advantages you have been long struggling for, and have now in great part obtain'd, but give me leave to say I at present very much doubt it, for by what I have lately seen and heard some of you seems inclinable to quaril about the Bear's skin before he is catched, however, be that to yourselves, I shall do every thing I can for you here and Benning I hope will have seen and Learned enough here to make you a good Govr and prevent you makeing a bad use of those opportunitys you may have of becoming a happy and flourishing people. I heartily wish you such and am,

Sir your most obed^{t} hum^{l} serv^{t}

John Thomlinson

P. S. I shall send you those things you write for

To Theodore Atkinson, Esq.

[*Copy of Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 80.]

Portsmo' Novemb^{r} 26th 1740

Sir — Your Letter to our Deceased friend Capt Rindge * enclosing the Judgment of his Maj^{ty} in Council on our Lines arrived after his Decease which not only deprived that Gentleman the Pleasure of Seeing the finishing stroke to that Tedious & Expensive Dispute but also [ ] to the rest of your ffriends from putting your Instructions into Practice.

Capt. Rindge's Death being so sudden & unexpected put his whole family into such a melancholy Disorder that it was Impracticable for the most familliar of his friends to mention to Mrs. Rindge any thing of any sort of business till after his funerall or she was a little better composed, as soon as there was room Mr. Wentworth gave us the papers and an abstract of your Letter relating thereto & we have Determined to follow your directions in forwarding the necessary to his Excellency in such manner as to prove the Delivery tho' we should have been well satisfyed & Pleased had you detained them as you seemed inclyned till there was an alteration in Goverm^{t} many People being now afraid of the Event of that affair being Executed by his present Excellency, — however as you no Doubt saw some ill conveniency in Longer Detaining of it our Business is to see it don in the best maner we can.

[* Capt. John Rindge died at Portsmouth, November 6, 1740. — Ed.]

Brother Mark who shares Largely in the Loss of our ffriend is suddenly left in the midst of an affair of Considerable Consequence Striped not only of the advice but of the assistance of an able & experienced Partner — Capt Rindge some few days before he dyed rec^{d} yours adviseing of the contracts being taken as it now stands and was in treaty with Mr Harvey the builder for a ship & with those men Mr Wentworth hath since agreed with for masts at all which meetings I was by Capt Rindges Desire Present I heard him offer after much talk £16. ℔ ton for the ship & he told me afterwards he believed Harvey would not build her for that money I was with Mr Wentworth when treating with Harvey who said he would not pretend to build her under £16. 10 & I know he builds for Mr Wentworth 10/ ℔ ton cheeper than he would for another haveing built largely for him I think they have agreed which I presume you will be more perticularly informed of, the affair Contracting [ ] of masts laboured under great Discouragements all the People that of late years have been usually Imployed in trailing [?] masts being under Engagements to Mr Gulstons agents not only by contract but I believe otherways rendered it impracticable to say any thing to them & therefore there was a necessity of applying to others that formerly have masted but found ways to leave that business while they could save their estate which I fear those that continued longer will not be able to do those men usualy [ ] for the sale agents have it not in their power with out [ ] to Procure the Larger Trees that I am assured tho' tis Possible Mr Wentworth may have Contracted to give something more than hath been Lately given which yet remains a secret that by no means can be [ ] yet I am sure you will meet with fewer disappointments, such as delaying your ships expensive toes of masts from one port to another & will be served with better masts and less lyable to exception at home.

[The remainder of this letter relates to the mast business, is illegible to a considerable extent, and not important. — Ed.]

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 84.]

Portsm° December 20th 1740

Sir — Since my last we have nothing remarkable in Publick Affairs. I then sent you the Boston Newspapers to shew you that G. B. had recomended the running the Lines &c. to the Boston Assembly I

am informed they intend to take no notice of the Kings Instructions How far the Govern^{r} is concerned in that affair you may easily guess we have sent according to your orders to Capt. Rindge the originall Judgm^{t} & alsoe our acc^{t} of Expences in getting the Commiss^{rs} upon the Spot & expence while sitting togeather with the cost of the comission. These were d'^{d} by Capt Pollard the Notary who will transmit you under his seal the Proof of such delivery — we hope, ere this the Journal of the House in this Prov^{e} when the Govr was last amongst us is with you & that you have alsoe finished the grand affair in getting us seperated from the Massachusetts Bay we are all sensible nothing can make us either a flourishing or happy people 'til that is accomplished.

As to the affair of Masts I have wrote at Large to the Surv^{r} Genl who I doubt not will inform you how that stands at Present but tis very surprising to me that you should take the Contract for less than former Contractors have done which I find by compareing the Contracts is considerable when tis Impossible to get masts for the same price here the Cutters being obliged to goe vastly further for them than formerly was usual they now goe so far into the Country for large trees that they are two Days at least halling one tree where formerly they frequently hall'd Two Trees in one Day besides there are three Contracts now subsisting which makes all our Country run into extravegant Prices for tho' Mr Gulstons agents are not permitted to cut any new Trees yet they have many to hall that were prepared last winter & the winter before I shall Indeavour to Prevail with the Persons to offer those Trees to your agent but I believe it will be to no Purpose for those Trees are allready over paid for & if they should parte with them they must goe Imediately Goal for what they could expect from your agent would never pay them Debts — as to Mr Townsends affair I think he hath acted Inconsistently with his Interest for he hath Imployed two setts of agents who I perceive Intend to act seperately & have both applyd for Lycense & for the same number of Trees I have wrote them that if I grant to one I shall not to the other & that they must apply Joyntly other ways Mr Townsend may Imploy 20 Different People & Cut all the masts in the woods it would be friendly in you to advise Mr Townsend of this mistake if Consistant with your Interest as I must support the Intrest of your two Contracts I should be glad they might be so managed at home as not to Interfere or be Inconsistant with each other's Intrest —

We have for more than a month pass'd had a continual Easterly wind with rain & it hath made such a fresh that the like was never known. The bridges & mills in this Country are allmost all carry'd

down stream, for 3 or 4 days past we have had frost & snow, there is now a good snow on the ground & if the swamps are hard enough will be fine halling [of masts] I hope you will not be Disapointed in some fine Trees which your workmen have allready got down. I suppose Brother Marsh writes you particularly & fully on this head.

The 17th inst we had the most violent storm of wind & snow that perhaps ever was known, there being many vessels, lost near 30 sail ashore in Marblehead, & many of them stove in pieces. The gail was short — from four o'clock in the morning till Eleven in the forenoon.

I hope the Bladen was not near at the Time — I hope you have rec'd my accot with Capt Wentworths Bill of his Timbers sold & that you from Time to Time receive my money of Mr Jones if you should have any thing in your hands Desire you would Ship me in such things as will best answer our Markets you being a better Judge than I am — & let it come Insured Capt [ ] writes you to pay one hundred pounds sterling to my order when you are in Cash for him Please to pay it to Mr Thomas Plummer it being on his Deceased Brothers accot I have advised him hereof who will call upon you —

I must beg the favour of you to get me a handsom ring 'tis for Mrs. Atkinson as a memento of her daughter — Mary Atkinson dyed the 20th day of July 1740 aged fifteen months, & let it come by Brother Ben'g [Benning Wentworth].

I am Sr with great esteem your most Oblig'd Humble servt

A ——

[*Thomlinson to Atkinson.*]

[Belknap Papers, Vol. I., p. 88.]

London 6th Febry 1740–1

Sir — Your favrs of ye 2d & 26th of Novr are both before me, in that of the 2d you acknowledge the receipt of some of my Letters and say that there is something in them too grave for a Joke indeed it was my design to have it should be so but I do imagin it found you in a much graver Humor than I wrote it in or else two single words could not have carry'd you into two long destinct desertations, as to my mentioning your friend How, (as you say so emphatically) whatever you may see more in friend How than Richard How is Just so much more than I meant by it, and I could have wished you had read it n the same temper of mind in which I wrote it, then you would have saved yourself & me a good deal of needless trouble.

As to the other thing [that] has agitated you so much, I must de

clare that alltho I thought I had reason to say so much from what I had then mett with from sundry letters & otherwise, yet I did not mean to lay any particular Imputation upon you but only express my fears that that was allready or might soon be the case.

for the rest — I shall refer you to Benning [Wentworth] when you shall see him which I hope will not be long first, For his Grace the Duke of New Castle has now actually promised him your Government as soon as it shall be seperated, and which has been delayed longer than we expect[d] but we now are pretty sure that it will be done by the beginning of next month.

Capt. Christopher Rymes is made a Councilor in opposition to H. Sherburn after the Gov[rs] agents had opposed it att the Council Board, & they have yesterday recommended N : Gillman to succeed Mr. Rindge, upon which I again recommended Mr. Richard Wibird lest the Lords should be inclinable to accept of Gov[rs] recommendation in his turn, or at lest for once, and alltho' I had sent Benning to get Coll. Dunbar before to go up and recommend Richard Wibird and which he had done, But I thought it might be necessary to recommend him also and that verbally, and at the same time to take occasion to acquaint the Lords that he was a proper person to succeed Mr. Rindge and which I did very fully and it is now left to their Lordships to recommend one or the other and which I shall hear of in a few days. I observe what you say in yours of the 22[d] relating to the mast contract & your Brother [in-law] Mark Wentworth and you must know that I had allways as good an oppinion of him as you or any body could have.

I shall soon have the opportunity of writing you again, and am

Sir your most hum[l] Ser[t]

John Thomlinson

Theodore Atkinson Esq[r] —

[*John Thomlinson to Christopher Rymes. "Copy per Banfield."*]

[Belknap Papers, Vol. I., p. 91.]

London, 10 Feb[y] 1740–1.

Cap[t] Christopher Rymes,

Sir — I have now to acknowledge your favour under cover to Mrs. Sumers, and as we had the news of Mr. Rindge's death some time before that came to hand, We had therefore agreed to joyne Charles Apthorp with Mark Wentworth in the mast affair, and as to the affair of recommending of his Majesty's Council you will find by my last letters to you that was done before, and also that the Gov[rs] agents

opposed it & recommended your Brother S. Sherburn, but that is all over and your Mandamus is in my Counting House, and which I shall send you by Capt. Shepardson under cover to Mr. Charles Apthorp, and how the Gov^{rs} and his agents have recommended Nathl Gilman to succeed my good friend John Rindge and I am Endeavouring to get Mr. Richard Wibird to succeed him, and I have no doubt of doing it, only this, that the Board of Trade or the Lords of his Majes^{tys} most hono^{ble} Privy Council may not care to set aside so many of the Gov^{rs} recommending one after another; however I shall do all in my power to effect it. I must reffer you to Mr. Atkinson or Mr. Wiggan for news of the Province affairs, and am

Sir, your most hum^{l} serv^{t}

John Thomlinson.

[*Thomlinson to Atkinson.*]

[Belknap Papers, Vol. I., p. 92.]

London, 21 March 1740–1.

Sir — Since mine to you of the 6th of Feby my good Lord Precedent has been very much out of order so that we have not had any Committees and therefore nothing done in our affairs but as he is now much better I hope soon to have it in my power to write you something agreeable, And I can now tell you that just as I last wrote the Lords of Trade recommended Mr. Richard Wibird to his Maj^{ty} in Council to succeed Mr. Rindge in the Council And as I expected the Governors Agent has petition'd against him and prays that N : Gillman may be appointed and tells his Maj^{ty} If Mr. Wibird is appointed there will be a majority in the Council against the Govr But notwithstanding this notable petition I think I can promise you and you may venture to tell Mr. Wibird so, that I shall soon send him a Mandamus. I have sent Capt. Rymes's by this Ship under cover to Mr. Charles Apthorp and I hope soon to send you something of much greater consequence, and altho' I have sometimes unavoidably fail'd of my promises in point of time yet I think I have never yet finally faild in any, and I hope never shall. Pray my service to all friends and believe me to be —

Sir, your most hum^{l} serv^{t}

John Thomlinson

Shall send the druggs you wrote for by the next good opportunity — you have allso John Minors & Henry Pursevalls Bond for 17^{lb} to Robt Pike

Theodore Atkinson Esqr

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 97.]

Pr. Mast Ships Portsm° May 31st 1741.

To Jn° Thomlinson

Sir — I have only time to acknowledge the rec^t of yours of the 9th of April giving us the agreeable news of the success you had the day before ags^t your opponents before the Comittee of Council. This letter I rec^d last night & this being Sunday have scarce seen How it opperates on either side; however this I am certain the Province nine in ten at least receive it with the greatest joy. I hope you will carry the affair thro' to your own Satisfaction as well as ours. My house is now full of friends to learn the news, and if the ships don't sail early in the morn^g shall write something more, tho' the convoy is now to, the Mast Ships are now at Harbour mouth. G. Belcher hath not been here since I wrote you last, so of course no alteration material. I then wrote you a narrative of the Genl Court proceedings & that three persons were appointed by the Govr as Surv^rs to run the lines, that our Province furnished his Excellency £500 tho' they at the same time imagined it was never intended they should, but we tho't the Execution should not be delay'd for want of money, The Line between the County of York & this Goverm^t is run about 60 miles into the wilderness, and the winter being breaking up diverted the finishing of it; — however that being a straight line I hope is run far enough. This Line was run by one Walter Bryant and leaves the noted White Hills in our Goverm ^tabout 7 miles.

From Pentucket Falls Mr. Hazzen run the West Line allowing 10 degrees variation to Albany & crosses Hudson River about 8 miles to the north ward of the City of Albany. Mr. Mitchell had the Sircular Line to make out & in order thereto took upon the Ice, & since that broke up on the shores of Merrimack, the exact Plan of the River & is now soon going to mark out the Line on the Land. I know there will be great difficulty in doing this it being utterly Impossible to Do it according to the Letter of the Judgm^t that is, to be three miles Exactly Distant from the River, in some places where the river takes sudden bend & makes a neck of land of 4 or five miles across & yet Perhaps 7 miles long, so that there is no possibility of getting within Three miles of the Point of such neck without being within Two miles of the river on each side, as you proceed Downward I believe before Mr. Mitchell runs this line he will know the Gov^rs determination thereon. He at present Proposes if he runs it at all to make straight lines from reach to reach, & if he runs nearer or

further than 3 miles to make an exact allowance for the number of acres in each Turn of the river : — thus at Present stands the affairs of the Lines. The Massachusetts haveing Done nothing in the affair as yet nor will they very soon ; for Wednesday was their Election when the Land bank Gentry prevailed in the choice of Councilours, the Govr negatived eleven, as my friend writes me, some say more, he also negatived the Speaker, Mr. Watts of Winnisimet & since has dissolved the Assembly, that that Government is in the greatest confusion, these things have so lately occurr'd that I can't be so particular as otherways I would but as to our own affairs, if you read the Judgment of King's Council on the affairs of the Lines you'l finde the Line of Merrimack & the West line after it crosses that river is said to be the northern Boundary of the Massachusetts but not the South Bounds of New Hampshire, nor is it call'd a Dividing Line, so those people above the river are in a state of anarchy the Govern^{r} can have nothing to say to them as Massachusetts men nor will he as New Hampshire men for the reason above, now as to the Line on the other side that in Comission^{rs} Judgment is said shall be the Dividing Line between the two Provinces & his Maj^{ty} affirming of it makes it so, in that there is no Dispute. The curve Line at Merrimack when 'tis run if that can be will admit of no Dispute that having been always our Line namely 3 miles north of the River, but as this last Line cannot be run according to the Letter of the Judgment & the West line above the river not allowed a Dividing line, we reap no benefit by the whole affair at Present. Thus you see how the affair stands. I don't care unless it be to Particular friends to give my real opinion, but in some measure fall in with the Govr &c. least he should grant away the Land on the other side of the River, & this opinion keeps him from it. Thus much for Publick affairs.

Theo. Atkinson

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 101.]

Boston, July 11th 1741.

Sir — I am now to acknowledge the re^{c} of your favour of the 9th May, & accordingly have communicated it to Brother Mark & Saml Wentworth, my business in Town being on purpose & had Brother Benning have drawn on us for the sum you say will be wanting we should have readyly answered his Draught. However I have Marks order to assure you, which I now Do that he will remit you one hundred pounds sterling having ordered some effects by the way of the

West Indies into your hands, however he will be so far as that sum accountable to you & had I known of this ship being so near saleing would have wrote you as he will pr. next, — My Brother Sam[l] now orders the like Sum which you will herewith receive. Now as to my self tho' I have lately made sum large purchases, (large for me) & shall want money, yet I am content you charge me in case it should be wanting, one hundred pounds. I take the affair in this Light: that Brother Benning & the whole family would be under this additional obligation that you must advance that sum for him, & that as 'tis highly reasonable you ought to be made secure, we should all of us gladly have done something of this sort before now, but I really tho't he had some disposition of his affairs in Spain so as not to have needed anything of this sort, however something in your Letter seems to hint as if the want of some orders from hence would detain him till you heard from home. I hope that will not be the case, if it should Mr. Wentworth is Exceedingly to Blaim. in not giveing us Timely advice; you know my Inclinations by Letters I formerly wrote you when he was in Spain to serve him in any shape. I hope what I now write will be sufficient.

[Endorsed] Copy to Capt. Thomlinson.

[Another letter, dated July 13, 1741, of the same import, is signed Theodore Atkinson. — Ed.]

[*Thomlinson to Atkinson. Pr. Capt. Jones.*]

[Belknap Papers, Vol. I., p. 103.]

London, 13 July 1741.

Theodore Atkinson, Esq.

I have here to Inclose you Bill of Lading & Invoice for the Drugs you wrote for, which I hope will please the Doctor, I have been so long without any from you that I have not any thing to say, only I cannot help telling you that I have got Benning Wentworths Commission finished & lock'd up in a fine Case in my Desk. you may see the very words of the alteration we have made in my Letter to M[rs] Rindge from whence you may reflect what little reason you had to be frightened at the ridiculous suggestions of Mr. Belcher about your Southern Boundarys, the Instructions to your Governor will now be very soon finished, and then I hope he will soon be with his Family

& Friends. I suppose he writes you by this conveyance, therefore for want of Time I must refer you to him for History.

& am, Sir, your most humˡ Servᵗ

John Thomlinson.

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 109.]

Portsmᵒ May 19. 1742 —

Sir — I have your ffavʳˢ of the 27ᵗʰ November & 18 of March Last Duplycated before me — in answer I must beg leave to refer you to Govʳ Wentworths Letters who I know writes you fully upon Publick affairs & shall only say that I hope if any Little odd Votes about our adress is under your Just Censor we shall grow wiser as we grow older & shall not always hurry things as has some time been the Practice — I observe you send my memorandᵐ by Capᵗ Godfrey which is agreeable — I never had any Dependence upon ffriend Whitocts [?] estate but have been latly told & I think tis agreeable to what I have heard him say that a was taken out against him but he paid every Body 20 shillings for a pound & that in order to this he mortegaged some parte of estate which wᵈ revert to him in about seven years this occasioned my writeings to you — I must now Desire you would send me a Coat of a Drab Cloth made with a snug sleave for riding in I would have a Cloth not apt to spot or fade — and a scarlet rochlet these are for my own ware the measure I send enclosed — and three pair of shoes for my son the length of his foot is the line drawn on the other side his foot is slim I would have the heel pretty high for our streets are muddy — you have alsoe Inclosed Charles Mackees note for £5 : 17 : Ster. he is master of the Deptford Store Ship the money is due to Capᵗ Stephen Greenlieff & he desires you would Ship him the nᵗ Proceeds in nails 20ᵈ 10ᵈ & Shingle equal value of of each so that if you send me a cask of each of these sorts of nails you may charge them to my accoᵗ & give me Credᵗ for the note deducting your charge which Please to advise me of when you send the nails — I have at last got my accoᵗ from Mʳ Jones & finde in June last the ballᵉ in my favʳ was £116. 18. which I hope you have recᵈ I sent my Diary to Lady Day last, by the Deptford Capᵗ ffawler which will amoᵗ to about £70. I some time since wrote you to ship as you thoᵗ Proper when you were in cash for me but I desire you would not but when you have my Directions

I have but one thing more to recommend to your consideration &

that is your good offices to Mr. Brown. (1) you know he has a large family, having 8 children, & necessity hath put him upon building a house, & tho' some of his Parish has promised to assist him in this undertaking yet he will be oblidged to be at considerable cost before he can get into it. I am in hopes with your recommendat[n] he may have liberty to draw on the Society (2) for something that will help him, — besides, this year has been Exceeding expensive, Provisions of all kinds haveing advanced near one hundred pr Ct. Pork has been at 20d & 2s pr lb. beef at 15d, Indian corn 18s pr bushell and every thing in this proportion.

You have now a Letter from M[r] Mitchell Desiring your assistance in the settlement of his acco[t] & recieving his money of M[r] Jones I imagine there will not be much Truble in the affair as you recieve mine & I shall esteem it a favour don me if you serve him if his Proposal is not Inconsistant with your Inclination M[r] Jones in his last acco[t] articles the money as rec[d] from the Coll which he did not use to do but used to receive it at the navy office and acco[t] with us in that man[r] all the Deputys acco[ts] are in this form & we are at a loss to know why the stile is altered — I tho[t] this hint not amiss to you My best regards to good M[rs] Thomlinson & tell her I beg she would Intercede with Cap[t] Thomlinson to be more on horse back & less in the stinking Cyty of London — I rejoyce with you both in the recovery of your health & am S[r]

[From retained copy, no signature.]

May 23[d] Since above Cap[t] Greenlieff Bro[t] me Cap[t] Adams's note for £5. 18. 11 which is for Purchasing the nails above mentioned I wo[d] have a cask of each of those sorts sent me alsoe — Pray let me have a p[r] of Britches with my Coat I w[d] not have a Darke Couller

℔ Cap[t] Adams

[1 Rev. Arthur Browne, rector of the Episcopal church in Portsmouth. 2 Society for the Propagation of the Gospel in Foreign Parts. — Ed.]

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 111.]

Portsmouth July 19th 1743

Sir — The foregoing is a Copy of what I wrote you by Cap[t] Adams I now Inclose you the Duplycate of Mackees note he gave 2 notes of

same Ten^{r} & Date for the same sum so that if either of them is satisfyed the other must be Cancelled in which please to observe my Directions in my last I am to acknowledge the rec^{t} of the box ℔ ffoster which came to hand in good order & well liked of but there is not the whole I wrote for I desired sundry books Particularly Stanhopes Thomas a Kempis a book I am Indebted here for & they are not to be purchased & I must Desire you to send me a bundle of ab^{t} 8 score Iron Hoops fit for Cask ab^{t} 34 gallons these I would beg you would not forget for our hoops will not stand the year round in my Cellar that I often loose the best of my Cyder I must once more beg leave to refer you to Govr Wentworth for Provincial news and am with regards to your good spouse & self

Yours &C T A

Pr Capt Darling —

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 112.]

Portsm^{o} May 26th 1742

S^{r} — Better hands than mine gives you the State of Publick affairs, you have a long letter from Gov Wentworth therefore nothing I hope will be expected from me you will give me leave to recommend a packet of Papers from Capt Walker with a Power to use your endeavours in getting his Maj'ys asent to an act passed here in his favour ab^{t} an Explanation of Coll Vaughans Will he poor was ledd into the Scrape by Mr Wm Vaughan & hath paid Dearly for it the papers will speak for themselves only observe there was was an appeal granted from the Sup^{r} Court of Judicature to the Govr & Council where he had Judgment ags^{t} him for the money but the Sec'rys house was burnt & all records &c Consumed no copys could be obtained but an Execution was Issued & I when Sheriff served it upon Capt Walker & got the money & paid Mr. Weeks & Apthorp after this the land was Delivered to Capt Walker by Mr Wm Vaughan & when Capt Walker was about to sell some of the Land it was suggested that the Premises was Intailed so no Purchas^{rs} appeared

Capt Walker Petitioned the Genl Court in Govr Burnetts Days as you'l see by a copy from the Clerk of the assembly but he dying soon after Put a stop to the Proceedings Govr Belcher was Brother to Coll Vaughan whose first wife was Govr Belchers Sister this togeather with a little Personall Disagreement Mr Walker being of the

assembly & not exactly sustaining the Govr Prevented his renewing his Petition till Govr Wentworth came

you'l see there were several hearings & notifications &c so that the matter was not suddenly don he Desires your Intrest in the affair & will reimburst any charge you Please to make for which I'll be answerable & will upon your sending the acco^t^ remit the money.

I expect a state of the Case from the Law^rs^ to Send but tis Possible it may not be Exceeding correct which you are by the Power of attorney to rectify as you think Proper

I have heard nothing from Mr Jones for 18 months past, neither have I time to draw out my Diary by the ship but shall forward it by Bickford who will sail in a little [while]

I have now sent you two mem^o^ which I desire you would forward so as to be here this fall one of them is for my sister Shurtleff as you'l see by the Pilgrims Progress the other is for my self & Mrs Atkinson I am S^r^ with great Esteen Yours

[From retained copy, no signature.]

℔ Capt Darling in Mast ship

[Endorsed] Copy to Capt Thomlinson ℔ Capt Darling in ye Willmington 1742

[*Thomlinson to Atkinson.*]

[Belknap Papers, Vol. I., p. 114.]

London, 14 July 1742

Theodore Atkinson Esq.

Sir — I have not yet had any of your favours. Therefore I don't know what to say to you, or have I heard any thing from any of my friends of your Province, since the Governor's arrival, except a short letter or two from the Govr and letters on my business from Mark Wentworth; and I should be very glad to hear that you go on right. I congratulate you on your promotion, and I hope you will Inherit some of the virtues of your predecessor, as well as his post, particularly his attention to, and assiduity in Business. I fear that you and Mr. Brown & N. Sherborne are become followers of Mr. Whitfield.* This news had no other effect on me than to make me Laugh. I assure you that it did not surprise me when I first heard it in the New England Coffee house, or has it since given me much concern, as I

[* Rev. George Whitfield was at Portsmouth at this time. — Ed.]

know and believe there are numbers besides yourselves, that are desirous to get to Heaven by charms, Incantations or in a Sling — pray Sir have you heard of a Committ that appeared here some months since, and made a great stirr amongst some people. I assure you there is now no more talk about it than about Whitfield. I leave it to you to run the comparison to what length you please, and draw what conclusions you please. your two friends may help you out at a dead lift, especially the latter, as he has been a helpmate to many a man.

You will by this time be likely to fall into another Error in thinking that I have much time upon my hands when I can truly assure you that I have not — only time to add that I am most truly

Sir, your most obd^{t} hum^{ble} serv^{t}

John Thomlinson.

[Superscribed] To Theodore Atkinson Esqr In Portsmouth New England ℔ Capt Ellis Q D C

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 115.]

Portsm^{o} July 26 1742 —

S^{r} I now forward a Letter to you from Capt Tufton Incloseing Sund^{ry} Bills Drawn on a Gentleman in Amsterdam the other Sett he send in Different Ships from Sirranam he ordered his friend to advise you of the Payment & that he Should give you orders for the money he being in arrears while he was in London gave his note to a Gentleman there who Sent a Procuration to Messrs Osburne & Oxnaid & they put the note for £75 in Suit I was bail & he went to Sirranam Since is returned & Bro^{t} those bills to Discharge that Debt I have now a Process ags^{t} me as bail & to finish the affair he hath Drawn upon you on that funds for £7 St^{r}. haveing Discounted the rest & I hope you'l be Able to pay the money thus it is that I became an Indorcer on those bills I know he hath Justly paid the money for them — as to Publick affairs I know the Governer writes you fully on that head therefore I need say nothing on that head I now Send Mr Jones my Diary for 3/4 of a year I hope he recieves & pays you my money as it becomes Due tho' I have heard nothing from him for near Two years — it may not be amiss to tell you that we have put a Stop to Sund^{ry} masts being Laden on board a Ship of Messrs Wendalls Capt Pearson Master who Last fall Applyd to me for Liberty to Cutt Some masts for that End I then told him & the People

he Proposed to Contract with that I had no power to give Leave to Cut on the * woods other then for his Majtys Especial Service to the Contractors that * all Properties beyoned the reservation I had no thing to do with that I should * the trees when they were Cutt unless they Got the advocate Genlls * sion with respect to the Property in Such a manner that I could transmit * to the navy board for our Justification Since which Capt Pearson * Stated the Case but have no answer from the advocate — Mr Wentworth * [I am] Informed Hath bot the masts into the Contract So that tho the affairs * of Publick Service in Detering Persons from Cutting for the future yet a * noise is made here & I am Informed that Complaints will be made agant * haveing Suffred Such Practices heretofore which is falce for its that Ship you was Concerned in I mean the Bladen we had the then Advocates Oppinion in favour of the Property those trees were cut from but these were cut upon very modern Propertys for as the Case is Stated they Desend by the Grant of the Town of Berwick & Say nothing of a Perticular Grant to any Private person — they alsoe Intend to Examine was ther [whether? this Ship of Adams's is Loden for the Contractr So that we have great Threats to be unhorsed I hope if they Should Proceed we on this Side the water Shall have an opportunity to defend ourselves I can Justly & Truely Say I never directly or Indirectly recd any Bribe or Gratuity to the Value of one Single Glass of wine in any affair of the Surveyrs post more than what I have recd for my Sallary &c from the navy office upon this Ile put the forfeiture of my head tho' I have had many Considerable Conditional offers made me — I have given Coll Dunbar a Sketch of our religious Enthusiasts I fear in the worst Sence of the word & Should have been more Perticular but Mr Marh will be able to Inform you of the whole Process I believe Capt Adam's can do the Same I have a great desire to Convince Some of these Deluded persons & these beg you would furnish me with Some books proper to that End Such as Dr Calamys Caveat against New Prophets & his reflection on Sr Richd Bulkleys Answer to Several Treatises on the Subject of New Prophets the Spirit of Enthusizm Exorcised by Dr Hicks Owens Scene of Delusion the History of [illegible] by a Lay Gentleman — or any Such Books — Pray Send me alsoe Dean Stanhope's Thomas a Kempis — I am Sr

Mr Waldron I am told is [word obliterated] home for a Pattent for Secry I hope this will bee ffrustrated not for ye Value but the will.

[* The manuscript is torn where the * occurs. The document is endorsed, "Copy to Jno Thomlinson Esqr & Capt Adams 1742." — Ed.]

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 116.]

Portsm° September 9th 1742

Sr — I wrote you some time Since & Inclosed you a Copy of a Bill of Exch^e which could not be rec^d for want of the Original which by Capt Morrs Consent I now Send you I Shall in the mean Time apply to the Drawer at Jamaca for a further Set if this comes to hand hope the money will be rec'd without, which pray advise of I alsoe wrote you Some years Since That one John Whitock a Quaker made a will Left me all he had & Exe^r he Dyed here about 10 years Since he was an Inhabitant of a Place called [illegible] near Bristol & as I am Informed hath Left Some thing Considerable there — there is now a man here that knows his Estate & tell me that if I write to one Mr Phelps a Lawyer he can give me Acco^t I knew nothing of this man till yesterday & he Promised me to Call this Day & give me a more Perticular Acco^t but disapointing me I can only Desire you to write to s^d Phelps on this head & by this ship I will Send you the will Proved &^c under Pro^e Seal as allsoe Capt Pikes for Publick affairs beg Leave to refer you to Govr Wentworth I am with Gre^t Esteem your Very Humble Ser^t

Copy

N° 133 — Jamaca 6th Feb^ry 1740 Exch^e ℔ £63. Sterl^g

At Forty days after Sight pay this my third ℔ Exch^e first or Second not paid) to the order of Mr John Thomlinson for use of Theod^r Atkinson Sixty Three pounds Sterling Value Recd of Saml Moor as ℔ advice from Sir your Humbell Servt

Jn Tichelle

To Messrs John Mason & John Simpson Merch^ts In London

Third Copy by Man of warr

[*Thomlinson to Atkinson. Copy ℔ Cunningham.*]

[Belknap Papers, Vol. I., p. 117.]

London 27 Novr 1742

Theodore Atkinson Esqr

S^r — I have your favour of the 9th Sept with a Bill of the same tenour of that you some time since Sent me a Notarial Copy of but finds that your Account has Credit in June 1741 for a bill of the same

Tenor & date & y^t upon the receipt of wch Sum I paid £100 Sterl (as you order'd) to Thomas Plumer for your Acco^t & which I wrote you off, I have wrote to my friend at Bristol to make enquiry after John Whitlock's Estate & he has wrote me y^t he hears Whitlock died Insolvent, but that he would make some further Enquiry, next Week I hope I shall know the Fate of your money bills & also of your Application for Stores, the latter is refer'd to the Board of Ordnance by a Committe of Council the other night & if I had not had a good friend at the Board nothing had been done in it as the Application was Irregular, & as to powder none is ever granted they Say all the Colonys must have a powder duty & altho such a duty might Affect me as much as anybody yet I think you ought to pass An Act for that purpose only let it be in as Easy a manner as possible y^t it may not be too great a Tax upon Shipping & I Shall Attend the Board of Ordnance & Endeavour to obtain for you as much as I can I have already taken such Steps wth respect to the money bills y^t I have good hopes of Success & nothing shall be Wanting on my part to get his Majesty in Council to Approve of them —

I have not yet Seen Mr Vassalls, Auchmuty & some others who are in Close Cabal with him I believe dont Care he should See me, they will make the most of him however they threaten Your Govr & province I am in no great pain about the matter any more than the Trouble & Charge they may put me to, & the time of Attendance which those short days I can very badly Spare from my own business, however I will Spare time to render the province & my friend every Service in my power & am very truly S^r your most hum^l Ser^tt

John Thomlinson —

London 14th Feb^ry 1742

Sir I am now in the Country Just recovering my health and have not Yours or Mr Mitchells Letters by me but I hope Shall Soon be in Town to do Business and we Shall have now frequent oppertunitys of writeing and Shall not fail of writeing fully to you both in the meantime believe me to be Sir your most hum^l Ser^tt

John Thomlinson

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 119.]

Portsm° December 18th 1742 —

S^r — On the other Side you have a Copy of what I wrote you by Capt Bickford which I hope by this is arrived with you I have only to

ad that tis a long time Since I have had the favour of a Line from you The memº I Send by Darling I have heard nothing of Pray if you have not allready Shipt it Let it come ℔ first The Letter I then wrote would Clear me of Whitfieldism I hope Mr Browns Carrectr will not be Injured by Such aspersion I am sure he is far from Deserving them that Ignis fatuous as you rightly calld it made a bustle as a Commit & Threatned Church & State and is a Clog on both at Present but I fore See no great Danger People are comeing to their right minds again who ever Brot my name in Question must mean it as a Joke for no body appeared So much against it from the first Appearence till this moment as I have Don I have Sent a Small memº by Capt Phillips to get for me I Desire you would Supply him to Accomplish it I am Sorry you met with Any obstructions in the retS of Adamss Cargoe Mr Mitchell & myself have wrote the Survey Gen the Circumstances of those masts Mr Wentworth Procured & he and his People have made Sundry affidavits thereon So that their Honrs will be able to See the Circumstances of that affair you have I know all affairs of Governmt from his Excelency which Saves you the trouble of reading anything of that Sorte from

Your oblidged Humbel Sert

P S you have a letter from Mr Cutt Shannon whose name is to a Petition agst Mr Walkers Act he tells he was against his names being Entred in that List Mr Mitchell not having heard for Some time from his Correspondent in London is Determined to ask the favr of you to negociate his affairs there I hope you will Serve Him therein —

[Endorsed] Copy to Capt Thomlinson ℔ Capt Phil Thomlinson Decembr 18th 1742 —

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 120.]

Portsmº, Febry 8, 1743

Sir — I am too often tireing you with recommendations, & am sorry for't, but yet gladly embrace this opportunity to recomend to your assistance the church of England at Newbury — this carrys its own apology & I apprehend I need say no more than to let you know how you can be serviceable. These People that now Petition the Society have long rec'd their benefactions & have with much difficulty attended the Public worship four miles from yr homes; in order to

remedy this hardship & by the consent too as I inform'd of Mr. Plant, have at a great expense built a comodious church in the Town & very conveniently located for all but a very few. They say Mr. Plant falls from his promises to their great Disappointment, but those will be proved to you from better hands. I shall only say that if the Society had a perfect knowledge of the situation of the affairs in that place, they would be convinced that their charity could not be better bestowed in any Town in New England. I need not tell you that Newbury is a large Trading seaport where are a great number of straingers continually, that the Church, where it now stands is of little or no service being 3 or four miles of — This you know. The people of the Town offer £20 per annum & the strangers contribution, if they should be so happy as to succeed in their application. I hope Providence will soon afford to send them a minister of religion & Learning. They all depend much upon your judgment & assistance & that they may not be disappointed is the hearty wishes of Sir, — Yours.

[Endorsed] Copy of a letter to Capt. Thomlinson about Church at Newbury. ℔ Capt Phil Thomlinson 1743

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 121.]

P ffeb^{ry} 6 1743 —

Sr Inclosed you have the first of four Setts of Bills Drawn by Mr Brown on the Treasurer to the Society payable to me I have Indorsed them to you In hopes you would Send me on acco^{t} of those Bills Such goods are Contained in the memorand^{m} Inclosed I Expect the goods will be bor^{t} according to the payment that will be made The reason of this Projection is, Mr Brown is got a little behinde hand in the Building his House in which he now Lives & tho Some of the Parish hath done Some thing Considerable yet in order to make the House Comfortable he hath been at a Considerable Expence I have paid of his Debts & Propose to give him the Profit of his goods & this way to reimburst my Self Now I can fore see no other risque but Death if this Should hapen I Expect you Charge any arrears to me the goods he Sends for he hath Provided Chaps to take on their arrival — what I think would be ye most Vendable & fech the Best advance is — 2 Chests of the Cheapest Bohea Tea abo^{t} 100^{w} Each not Damaged 2 or 3 hund^{d} of Pepper the remainder in Cotton & Cheap Silk handkerchifs & Cheap Callicoes of good bright Cole^{rs} — Let me have these goods Shipd on Mr Browns Acco^{t} & Consigned to

me And Let them be fully Ensured I would have an Equal Value of Cotton & Cheap Silk handkerchiffs I would put you once more in minde for Sending the nails I wrote for By Adams Voyage before Last & Pray Let me know at the Same time weither you recd the money for Capt Adams's note & the Master of the Deptford Store Ship on accot of Capt Greenleaff I must alsoe Desire you would Send me the following Peticulars

1 Brass Kittle abt 30 gallons
1 Suit of Black Cloath Cloathes for my Self fine firm well Dyed Cloath
2 ps Cambrick thick fit for ruffling Linnen of 5/ ℔ Ell
2 ps Coursers Cost abt 18 or 20/ Sterling ℔ ps
1 Case of Six rasors & pr of good sissors & Strap I would have them of the Best mettle

I now alsoe Inclose my Diary from Lady Day Last to Christmas under the Scituation of our Imployment I know not who Else to write to & Desire that you would Put it into the right Channel & also receive my Sallary, that & my Sallary as you Judge most for my Interest you have Sufficient Power for this End —

I fear Poor Mitchell will be broken up I see nothing that can Prevent it if his Bills that have Lain Long in London are finaly Protested he Tells me he is out of Two years Sallary & that he has had no Accot from his friend in London on whom these bills were Drawn this 2 or 3 years So that he Is intirely in the Dark as to his affairs in Engld he has now a family & and such an affair is ye more Shocking I made no Doubt as he is very Deserving you'l do him any good office in your way — I beg Leave once more to referr you to Govr Wentworths Letters for Publick affairs and am your obleed Ser

T A

P S We now Inclose you our Joynt Letter whieh heretofore was Directed to Coll: Dunbar but as we Imagine he may be gon to his Governmt of St Hellena we have Derected it under ye Cover to the Comissrs

T A

℔ Capt Darling —
& Duplicate ℔ Thomlinson with this adition Viz

Portsmo ffebry 7 1743

Sr On the Other Side you have Copy of what goes ℔ Darling I have only to ad that this Incloses the 2d Bills the first of are mentioned above & Desire your Complyance in what I recomended to your Care relateing them

My best regards to Mrs Thomlinson & Accept the Same your Self from Sr Your &c A

[*Thomlinson to Atkinson. Copy ℔ Adams.*]

[Belknap Papers, Vol. I., p. 122.]

Lond° 20 Feb 1743

Theodore Atkinson Esqr

S^r^ I have your Favour of the 26th Octo & I have not Received your Money of the Master of the Deptford Store Ship neither have I Seen him but Once & then he told me He was to send out Goods to the Amount of this Note you have recommended three Gentlemen to Me & tho its pretty plain that I am always willing to do any thing I can to serve your Country Men yet I have not Time to squander away in following them in such Wild schemes as they Generally are freighted with from your Country & when they bring with them Ever so slight a recommendation they generally take it for Granted that the person to whom they are recommended is under an obligation to assist them in all their Schemes I dont say this in order to reflect on Mr Wise or Mr Peagrum for if I had not been particularly Engaged I would have Endeavoured to have Servd Mr Wise as much as I Could & as for Mr Peagrum He has not troubled Me upon His affairs, but for what End such a Man as young Greenleaf could be Sent home I am at a Loss to know & without any Money or Credit or Capacity for Business that I know off, indeed His Father or Himself wrote me a Bombast Letter wherein I am desird to supply Him with any money He should Want & it should be Repaid Me but when or How I know not, but when I saw that you & His other Friends that had mentiond Him to me had avoided giving him any kind of Credit I did not Choose to do it. As you refer Me to what ye Govr writes Me I must now for want of Time refer you to w^t^ I have Wrote him by this Conveyance & Am with great Truth & Esteem S^r^

Sir your most hu^l^ Serv^tt^

John Thomlinson

[*Thomlinson to Atkinson.*]

[Belknap Papers, Vol. I., p. 124.]

London 18th March 1744

Theodore Atkinson Esqr

Sir I have here to Acknowledge your Favour of ye 16th of Novr and have agreeable thereto carryd the Ballance of Mr Peirce Longs Account to your Credet being £2. 3. 0 And as for the Memerandom you Mention you only referr to Some directions and paterns in A

Bundle Sent by Capt Adams, But Capt Adams dos not know of Any Bundle he had from you he has indeed Sent up two Bundles of old Silk which he says Mr Yeomans Brought on Board And which Mr Yeomans remembers nothing about but there is not any directions or paterns in, Therefore Mrs Thomlinson Cannot tell who they belong to or what they are to be done with So if those Bundles belong to you, pray let me know and what they are to be done with As to the other part of your Letter I at present can Say little about for I am So much keepd at home with a great deal of Gout and Some Business that I have not an opportunity to run to the other End of the Town as I used to do or can I find my Account in it so much as keeping at home, As Soon as the Mast Ships Arrives And I have Letters from Govr Wentworth I shall put his and your affairs upon a right footing with Mr Jones, I am with great Esteem

Sir Your hum^{l} Ser^{tt}

John Thomlinson

[*Thomlinson to Atkinson. A Copy ℔ Phillips.*]

[Belknap Papers, Vol. I., p. 125.]

London 22^{d} Mar 1743/4

Theod Atkinson

Sir — Your favour of the 6 Feby ℔ Darling is before me & Note its Contents the Bills on Mr Tryon are left for Acceptance at his house, and I have ordered ye goods you write for to be got ready to Send you by Craigie, who will be in Boston I hope in a Short time I shall write you fully by him Intrem I am —

Sir your most hu^{l} Serv^{tt}

P S Adams Note was passd to your Credit but ye master of ye Deptford store Ship would not pay his, Saying he had y^{r} orders to Ship you ye Vallue —

London 12 April 1744

Sir You have here Inclosed Invoice & Bills of Lading for all the goods you was pleasd to order both on your own Acc^{t} & them for Mr Brown and which is all Included in one Invoice & bill of Lading, the reason of not Sending y^{m} Seperate is because Mr Tryon would not Accept Mr Browns Bills, for he had just paid a Bill of Mr Browns, for this very Quarter at Lady day, So that Next midsomer one of them will be p^{d}, & the rest in Cource and as Mr Tryon was out of Town when ye Bills was left for Acceptance his Clerks Said, that they

would be good So that the goods were all agreed for money down, that he might have ye advantage of the Sale of them, So that when his Bills are paid your Acc^t^ Shall have C^r^ for them the last bill will not be due before this time Twelve months So that you may let Mr Brown have ye goods or keep them your Self, as you Shall think proper. what was Intended for him is markt B, and you may Easly Calculate ye Charges on them & Insurance, and Intrest of money untill ye bills become due If you let him have ye goods, your dairy is given to Mr Jones, & he says he will be able to pay Some Money for your Account very Soon, my master Mr John Thomlinson is in ye Country recovering on a late fit of the Gout, No doubt you will hear before these reaches you that warr was declard here ye Last day of March against France So that ℔ m^o^ from your place is 23 ℔ C^t^ & other voyages in proportion you See what is given on Craigie & we warrant with Convoy I am

Sir your most Obe^t^ Servtt

William Richardson

[Captain Thomlinson's clerk.]

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 126.]

Portsm^o^ May 19th 1744 —

D^r^ S^r^ I have yours of the 20th ffeb^ry^ A Little Severe upon my recommending Several Persons to your ffavour without being more Explycit then I was it was their Seperate Desire that I would only mention y^r^ Names to you that in case they Should hapen upon a wrong Sent they might have your ffriendship Letting them know of it I knew Little of Either of their Schemes & only guessed at their aim as to giveing Mr Greenleeff Cred^t^ He never applyd to me in that Shape & I was told that his father had settled that point with Mr Rugg who I understood was his Patron & at whose request he went home & they neither of them could have any other Defence upon my Letter — I am Sorry any of them Proved Trouble Some to you & more so if occasioned by my Letter —

now Let me Inform you that Govr Wentworth the Sur^r^ Gen^ll^ hath Continued the Late Sur^r^ Generals Deputy Mr Mitchell & [illegible] at Present come in gratis Mr Slade & my Self Club our Salarys with the Su^r^ Genl till the £2000 the G^r^ Pays is paid So I must Expect nothing but my Travel Till that matter is Ended —

I Want to know what Prospect there is of a Settlem^t^ of Robt

Peters Affairs I can get no manner of advice from the West Indies there is money in Mrs Rindges hands but I dont care to meddle with it till I know more of his affairs I now know of but one Debt Due from his Estate which is to Mr Richd How but that cant be Settled till the West India Acco^t^ is Settled —

I hope you have Shiped Mr Browns goods & That they are Insured — I must now beg the favour of you to Send me the Sund^ry^ mentioned in the Enclosed mem^o^ — pray Let them come by Adams I had much rather pay the Land Carriage in his Ship than have them come by the way of Boston — I would be glad to have them Insured if the thing be Practicable

The Suit of Cloaths in the mem^o^ are regimentalls for my own Ware the Govern^r^ haveing Contrary to my Inclination oblidged me to take a Coll Comission as I was allways Determined in my own minde never to ware Such Cloaths without Something to bear the Expence being pushed to the Comission I have but Little what is necessary but I would have no more Lace then what you think necessary being a better Judge then I can be I would have the Sadle & furniture fit for that Service but put me to as Little Expence in those Equipments as possible Consistant with the affairs I would not have very Stif Stout boots

We are in Dayly Expectation of a french War which will Exceedingly [injure?] this Country if not ruin it for we are really in a very Defenceless Condition at Present — I Still Hope for better News

I am Your H St T. A.

To Capt Thomlinson Esq ℔ Capt Adams with ye mem^o^

May 14 1744

Since the above we have the news of War with france being Proclaimed by the Way of Glasco we yet have only the flying report if it Should be So Let my goods Come Insured if that be not to be Don now Wait till it is T A

[*Thomlinson to Atkinson. Copy ℔ Hammond.*]

[Belknap Papers, Vol. I., p. 128.]

Lond^o^ 3 Octo 1744

Theodore Atkinson Esqr

S^r^ — The above is Copy ℔ Adams and I have only to Refer you to what I have wrote Govr Wentworth on your publick Affairs & to tell you y^t^ only one of Mr Browns (^l^) Bills you sent Me on Mr Tryon

is p^d which was for Fifteen pounds & which your Acc^t has Credit for & y^t should not have been p^d had it not been by an oversight of Mr Tryons, & the other Three will be sent you Back protested & that Mr Brown might have known, As those Bills were drawn by Him Contrary to ye standing orders of the society (2) sent him & all ye Missionarys, and not one of them that I know of Except Mr Brown & Brockwell has Ventured to draw Contrary to those orders and had I seen those Bills before they were Carried to Mr Tryon I should have sent them back to you without so much as offering them for Acceptance as I shall always do when I have any of ye Missionarys Bills drawn in that manner as I know it is not in Mr Tryons power to pay such Bills, Mr Brown is as sensible as I am of this and in What manner he is to draw, & if dont observe it he must suffer by it & surely so he Ought, I have only to add y^t I am with much Esteem

Sr Your most hum^l Ser^tt

John Thomlinson

[1 Rev. Arthur Browne, of Portsmouth. 2 Society for the Propagation of the Gospel in Foreign Parts. — Ed.]

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 130.]

Portsm^o November 16 1744—

S^r I am now to Acknowledge your ffavour by Adams & by Craige with Invoyce &c^a of what I wrote for those by Adams I recd in good order & approve well of tho' the furniture for my Horse being blue &^c I Shall be Obleidged to Say is the fashion in London & you must be answerable, Craige is but Just arrived & I have not got the things round from Boston as yet the Master of the Deptford Store Ship has playd us a trick he has neither Ship me any thing nor had orders for So doing —

Mr Yeomans & other Passengers will be able to give a Better Acco^t how the War affairs goes on in these parts than I can but I am persuaided unless Some other methods Are taken the next Summer we Shall pay Dear for our Success the Last Canada & Cape Britton are too near without they were better neighbours the fort at Crown Point being but about 70 or 80 Miles from our Settlements on Connecticut river is by relation very Strong in which the french have Three hundred men & are I am told building a fort on the opposite Side of the River Principally I Suppose to Obstruct any attack the

Place being narrow — Cape Britton will Destroy all our fishery as well as we theirs, that we are hemmed in in a bad manner on both Sides & tho' we have men Enough yet they are inexperienced in the Art & regularity that is absolutely necessary to reduce those Places or even to Defend our Selves in case of an Attack we have in our Papers rumourd about that his Majesty Intended to Send us Some regular forces Early in the Spring I wish he may I know there is the greatest necessity for them I believe very good men might be raised here that with a little Instruction would Soon be Disciplined for they all well know the use of Arms & if it was Consistant with his Majty Pleasure to Send Comissions to Persons here as has been usual I am Sure great Numbers would Inlist Especially if they were assured that their Station or Action was in the northern Climate I wish to See recruiting officers here & as greatly wish to have a finger in it upon a Proper footing I know youl not forget to mention me if a Proper Opportunity offers — we are greatly in want of Powder & Small Arms I hope Soon to See the Supply your Vigilence has Procured us and am Sr Your Very Humble St

Theodore Atkinson

P : S : I have ordd Mr Jones. to pay 2/3 of my Sallary to the Survr Genl So that he must Accot with you for the other third & youl Credt my Acco with it I now Send my Diary to Michaelmass Last as we cant live without our Mother Country I hope youl Excuse my Trobblesom memo one of which I now Send — the Ladies they are for Salute you & Mrs Thomlinson I Joyne with them & am

Yours T A

I must alsoe Desire you would Send me Pattern of Silk for a Gown ℔ memo

I have alsoe Sent by Capt Adams a bundle of Silk gouns to be Scouerd Dyed &ca My nece Mrs Osburne to whom they belong has given Directions to the Dyer. Pray Let them be well done & returnd — Advise me what Mr Longs ballance is —

[The remainder of the Thomlinson and Atkinson correspondence will be printed in connection with other provincial papers in chronological order. — Ed.]

MISCELLANEOUS PROVINCIAL PAPERS.

[3–105]

[*List of the Men who Hired the "£25000 Loan." See Vol. V., p.* 210.]

Memorandum of those Persons that have hired the £25000 Loan vizt —

1743
Decem^{r} 1

No		
1	Tobias Langdon	£100
2	Henry Sherburne Junr	200
3	Hunking Wentworth	150
4	Capt Thomas Wright	200
5	Daniel Peirce	200
6	Elisha Plaisted Esqr	50
7	Jacob Treadwell	25
8	Capt Nathaniel Mendum	100
9	John Frost	25
10	Capt John Knight	75
11	John Banfill	50
12	Joseph Norton	50
13	Mark H^{g} Wentworth	200
14	Samuel Wentworth	200
15	Daniel Jackson	100
16	John Griffeth	100
17	Henry Sherburne Esqr	200
18	Theodore Atkinson Esqr	200
19	Thomas Ayres	50
20	Daniel Warner Esqr	200
21	Benj^{a} Phillbrick	50
22	James Libbey	50
23	Capt George Walker	200
24	Joseph Peirce Esqr	50
25	Joshua Peirce Esqr	50
26	Thomas Berry	75
27	John Dam	25
28	James Berry	75
29	Samuel Leavit	150
30	Simon Fogg	25
31	Zachariah Brown	50
32	Thomas Cram	£50
33	Samuel Gilman Esqr	200
34	Jonathan Dearborne	100
35	James Perkins	25
36	Joshua Wingate Junr	25
		——3650
37	Edward Lock	50
38	Benjamin Swett Junr	50
39	Peter Gilman Esqr	200
40	Amos Knowles	100
41	Jonathan Hillyard	75
42	Jotham Odiorne Junr Esq	200
43	John Sherburne	200
44	Benj Swett	50
45	Jonathan Gordon	25
46	Abner Fogg	100
47	Joseph Sherburne Esq	100
48	John Bergen	25
49	John Leavitt	25
50	Obadiah Marsten	25
51	Nathaniel Webster	50
52	Jonathan Page	25
53	Moses Perkins	25
54	Nathaniel Drake	50
55	Shubal Sanborne	25
56	Phillip Towe	50
57	Joseph Wadleigh	100
58	Joseph Blake	50
59	John Robinson Junr	50
60	Walter Bryent	50
61	David Swett	50

No		
62	Nathan Sanborne	£25
63	Thomas Webster	75
64	Samuel Marshall	25
65	Edmund Rand	50
66	Hezekiah Swain	25
67	Rob[t] Hinkson	25
68	George Janverin	25
69	Samuel Doe	100
70	Nathaniel Doe	200
71	Joshua Winget	75
72	Bradbury Green	50
73	Joseph Twambly	25
74	Samuel Chestley	50
75	Ezekiel Gilman	200
76	Joseph Rawlings	75
77	Jethro Pearson	25
		——2800
78	Jonathan Palmer	£25
79	Caleb Kimball	50
80	Nicholas Smith	25
81	Jonathan Gove	100
82	Joseph Gilman	50
83	James Jeffry	25
84	Ichabod Tebbets	50
85	Richard Sanborne	25
86	Gershom Griffeth	100
87	Simon Gilman	200
88	Robert Perkins	25
89	Ellis Huske Esq	100
90	Jonathan Prescutt	100
91	Eliphet Daniels	75
92	Jacob Sanborne	25
93	Reuben Marsten	25
94	Jeremiah Bean	25
95	William Bennett	50
96	John Wedgwood	75
97	James Prescutt	75
98	Jonathan Swett	75
99	Theophilus Wadleigh	25
100	Jeremiah Prescutt	25
101	Richard Nason	50
102	John Sanborn	25
103	Joseph Hall	100
104	Nathaniel Healey	50
105	John Tebbets	25
106	Timothy Dalton	25
107	Daniel Marsten	25
108	Christopher Palmer	25
109	Joshua Brown	25
110	Phillip Griffen	50
111	Joseph Pike	25
112	William Clifford	25

No		
113	John Purmot	£25
114	Thomas Mardain	25
115	Israel Gilman	150
116	Joseph Greeley	50
117	Benjamin Mathes	75
118	Dudly Hardy	25
119	Jonathan Durgen	25
120	Thomas Tufts	50
		——2225
121	Joseph Young	75
122	James Tuttle	50
123	Daniel Gilman	100
124	Nehemiah Brown	50
125	Benjamin Thomas	75
126	David Conner	50
127	Benjamin Hobbs	25
128	Benjamin Sanborn	50
129	Nathaniel Ladd	150
130	Nathan Clough	50
131	Cartee Gilman	75
132	Joseph Fellows	50
133	Joseph Batcheldor Jun[r]	50
134	Jonathan Tilton	50
135	Benjamin Perkins	50
136	Richard Sinkler	25
137	John Gilman Tertius	75
138	Samuel Wille	25
139	Jedidiah Prescutt	50
140	John Conner	75
141	Isaac Libbey	50
	Jan[y] y[e] 2[d] [1744]	
142	Joseph Addams	75
143	John Currier	25
144	Richard Hubbard	25
145	William Shackford	50
146	Samuel Fabyan	50
147	John Mackleroy	25
148	Caleb Wakeham	25
149	John Mason	25
150	Benjamin Mason	200
151	Joseph Bickford	50
152	Elisha Swett	25
153	Samuel Moore Esq[r]	75
154	Enoch Sanborne	25
155	Eliphelet Cromwell	50
156	Benjamin Weymouth	50
157	Thomas Davis	50
158	Thomas Leighton	125
159	John Downing Esq[r]	200
160	Jonathan Clark	50
		——2450

No		
161	Nicholas Gilman Junr	£75
162	John Huntoon	75
163	Daniel Young	50
164	John Young	25
165	James Hearsey	50
166	Solomon Cotton	50
167	William Loverin	25
168	John Hoeg	100
169	Joshua Neal	25
170	Aron Sleeper	25
171	Nathan Swett	25
172	Joshua Woodman	25
173	Elisha Winslo	50
174	Robert Martin	50
175	Andrew Todd	25
176	John Fifeild Junr	25
177	Eleazer Coleman	100
178	William Chase	25
179	Noah Barker	50
180	Robert Boyes	125
181	Richard Dolloff	25
182	Jonathan Gilman	25
183	Hugh Montgomery	50
184	William Ayres	50
185	Jonathan Lock	25
186	Jonathan Downing	25
187	Benjamin Easman	50
188	John Perkins	25
189	Joseph Wadleigh	50
190	Robert how Junr	25
191	Charles & John Cox	50
192	John Sanborne	100
193	Joseph Row	50
194	Clement Jackson Esqr	50
195	Joseph Scribner	50
196	Joseph Davis Junr	25
197	Benjamin Davis	25
198	William Long	50
199	Hubbard Stevens	25
200	William Calf	50
201	Hezekiak Blake	25
202	Samuel Renken	75
203	Joshua Pickerin	25
204	Jedidiah Philbrick	100
		——2050
205	David McClure	£25
206	Benjamin Jewett	50
207	Richard Denbo	50
208	Daniel Sanborn	50
209	Nathaniel Webster	25
210	Samuel Blake	25
211	John Gilman Junr	50

No		
212	Benjamin Jenkins	£50
213	Stephen Marden	25
214	Ebenezer Berry	25
215	Saml & Jon^{a} Piper	50
216	John Wille Junr & Thos Wille	25
217	Edward Taylor	50
218	Thomas Smith	50
219	Theophilus Smith	100
220	John Talford	50
221	Joseph Atkinson	25
222	Benjamin Thing	50
223	John Ramsey	150
224	John Underhill	25
225	Edward & Joseph Small	25
226	John Sleeper	75
227	Jonathan Sanders	25
228	Joshua Davis	50
229	Andrew Wiggen Junr	100
230	Samuel Welsh	25
231	Jonathan Thompson	25
232	Benjamin Roberts	50
233	Abrabam Smith	25
234	David Hopkins	50
235	Andrew Thompson	25
236	Samuel Graham	50
237	John French	25
238	William Frost	50
239	Walter & Saml Neal	100
240	Joseph Burley	75
241	James Heath Junr	50
242	Hugh Ramsey	75
243	Andrew Wiggen Esqr	[Torn]
244	John Daverson	50
245	Samuel & Jon^{a} Sanborn	50
246	Samuel Sanborn	
247	Thomas Wiggen Junr	
248	Stephen Thirsten	[Torn out.]
249	Samuel Ingols	
250	Simon Wiggen	
251	Jonathan Rawlings	25
252	Hugh Willson	25
253	Jonathan Jones	25
254	Samuel Goodhew	50
255	John Willee Junr	25
256	John Sinkler	125
257	Trueworthy Dudly	200
258	Samuel Houston	25
259	Alexander Walker	25
260	Richmond Henderson	25
261	Caleb Wakeham	25
262	John Salter	125
263	John Edgerly	50

No		
264	Benjamin Young	£25
265	John Jennes	150
266	Stephen Pendergrast	100
267	Joseph Rawlings	50
268	Ebenezer Down	50
269	John Downing Tertius	200
270	Abraham Nute	25
271	James Cochran	50
272	James Varnum	50
273	Reuben Chestley	50
274	Joshua Downing	50
275	Ebenezer Davis	50
376	Ebenezer Wentworth	25
277	Abraham&JethroBatchelder	50
278	David Vance	25
279	Samuel French	50
280	Thomas Tuttle	25
281	Job Jennes	25
282	Samuel Varney	25
283	Nathaniel Varney	25
284	Paul Varney	25
285	William Thom	25
286	Timothy Johnson	50
287	Nathaniel Sargent Esqr	100
288	Joseph Astin	50
289	Elijah Tuttle	25
290	James Perkins	25
291	Samuel Easman	50
		——2200
292	Abner Clough	£50
293	Clement Ham	25
294	John Heraman	100
295	Joseph Clark	25
296	Thomas Webster	25
297	Jonathan Corles	50
298	John McCrelles Junr	25
299	Mark Giles	25
300	Mathew Neley	25
301	Walter Bryent	50
302	Joseph Drew	75
303	Benjamin Hiliard	25
304	William King Esq	25
305	Henry Dearbon Junr	100
306	Richard Hussey	150
307	John Jennes	25
308	Mark Jennes	25
309	Joseph Richards Junr	25
310	James Place	25
311	John Goffe	25
312	Nathan Hoeg	25
313	Joseph Garland	25
314	John Tuttle	25

No		
315	Nicholas Tuttle	£25
316	Nicholas Perryman	25
317	Daniel Gale	75
Feby 1		
318	George Veasey Junr	125
319	John Scribner	100
320	Mary Nason	25
321	Charles Banfill	25
322	Benjamin Cram	50
323	Job Clements	75
324	Jethro & Richard Bickford	50
325	Ephraim Clough	25
326	John Wadleigh	25
327	Samuel Walton	100
328	[Piece torn out.] Doak	50
329	Wallingford	200
330		200
331	Moulton	25
332	Downing	100
333		50
334	Leavit	50
335		50
		——2425
336	Jacob Gale	£25
337	Nathaniel Hanson	50
338	John Knight	50
339	John Heraman	25
340	Zachariah Edgerly	25
341	Nathaniel Lammus	25
342	Joseph Hall Esq	100
343	Jeremiah Green	50
344	Benjamin Batcheldor	25
345	Daniel Carter	25
346	Solomon Clark	25
347	Orlando Bagly	25
348	Nathaniel Wright White	25
349	James Hobbs	100
350	Jonathan Longfellow	25
351	John Loverin	100
352	Phillip Conner	50
353	Thomas Varney	25
354	Noah Barker	25
355	John Tebbets	25
356	Joshua Cromwell	25
357	Joseph Rawlins	25
358	Jacob Tilton	50
359	Richard Hazzen	50
360	Abraham Sanborne	50
361	William Pottle	100
362	John Watts	25
363	Nathaniel Bartlet	25
364	Richard Pashley	25

No		
365	Joshua Jackson	£25
366	Clement March Esq	100
367	Robert Light	50
368	Abial Austin	50
369	Thomas Pickerin	50
370	John Woodman	75
371	Ichabod Kenney	25
372	John French	25
373	John Bickford	25
374	Richard Kelly	200
375	Isaac Clough	100
		—— 1950
376	Daniel Cresey	£50
377	Stephen Lang Junr	25
378	Samuel Magoon	100
379	John Sherburne	25
380	John Wentworth Junr	100
381	Solomon Davis	25
384	John Murro	25
385	Eleazer Coleman	25
386	Richard Jennes	100
387	John Aiken	25
388	Samuel French Junr	25
389	Thomas Wathen	25
390	Josiah Gilman	50
391	George Walton	50
392	Samuel Weeks Junr	25
393	John Dusten	25

No		
394	John Merrell	50
395	John Stuart	£25
396	James Maxwell	100
397	Moses Stevens	25
398	John Knowles	25
399	George Jaffrey Esqr	200
400	Revd Nathaniel Merrell	25
401	Revd Josiah Swan	50
402	Benjamin Miller	50
403	Moses Dennett	50
404	Samuel Hutchins	25
405	Jonathan Woodman	25
406	Daniel Meader	25
407	Hatevil Leighton	25
408	John Leighton	
409	Samuel Weeks	
410	[Torn off to 420.]	
420	William King Esqr	25
421	Thomas Packer Esqr	200
422	William Parker Esqr	50
423	John Hight	25
424	Moses Hoyt	50
425	Thomas Peirce Esq	25
426	Cornelius Conner	25
427	John Gove	25
		—— 425
		£25000

The foregoing is a Copy contains the Persons names & the Sums Each Person Borrowd of the Twenty five thousand pound Loan —

June 23d 1745

Theod Atkinson } Chairmn of ye Comitte

[*Governor Wentworth to Board of Trade*, 1744.]

[Copied from a Manuscript obtained in London by the New Hampshire Historical Society, in 1888.]

PUBLIC RECORD OFFICE OF ENGLAND

Colonial Correspondence — Board of Trade New Hampshire
Benning Wentworth to Board of Trade
23 January 1743/4
L. S.

[Endorsed] — New Hampshire — Letter from Mr Wentworth Govr of New Hampshire to the Board, dated at Portsmouth ye 23rd of Jan^ry^ 1743/4

Rec^d^ March 16th } 1743/4
Read April 17th } 1744

Duplicate — (orig^l^ not Rec^d^ when this came) p^r^ the Pelham Mast Ship Capt P. Thomlinson

Portsmouth New Hampshire January 23^d^ 1743/4.

My Lords

In obedience to your Lordships Commands Signified to me the 14th of July last, I shall endeavour to set the Impediments to the Settleing and increase of this Province in the clearest light I am Capable of. The first difficulty is, the Massachusetts claim three Miles North of Merrimack from the Sea, to Pantucket falls, this claim that Government made before the Commissioners Court at Hampton and no further North, notwithstanding which, the Towns of Salisbury, Amesbury, Haverhill, Dracut, and Dunstable, have heretofore extended their grants of Common Land as they called it, some five, others Seven, and Haverhill near Eleven miles North of Merrimack, whereby the towns of Hampton, Kingston, Chester and London Derry are incroached upon, which occations a dispute between these Towns, as to the Property of the Land, this dispute between Hampton and Salisbury with the Eastern end of Kingston I have been able to reconcile to the Satisfaction of all partys, and have incorporated the Inhabitants into a Township, by the name of South Hampton, but from the West end of South Hampton to Pantucket falls, and from thence on a West line where it crosses Merrimack River, there remains a Narrow Strip of Land on which may be near

A. Disputes about the Property of Lands and limits of Townships on account of the Incroachments of the Massachusets Colony in the Province of N. Hampshire.

four hundred familys, settled in Virtue of Town and Provinciall grants made by the Massachusetts to the people in possession, which the Towns of Kingston Chester and London-Derry claim, by Virtue of their Charters granted by New Hampshire, the Charter of Kingston was forty eight years, and Chester and London Derry about Twenty Six years Since; the Southern boundary of these towns was to be the Province Line, which they now say, is the Similar Curve line, by His Majestys determination. I was hopeing the Measures I had taken with respect to South Hampton would have Influenced the Settlers on this Strip of Land, and the Towns on New Hampshire Side, to have entered into an agreement among themselves, but they are obstinately Set on both Sides, and are dayly Commencing Law Suits with one another, and unless they are restrained, the Contention will Issue in the ruin, both of the one and other party, The plea the Towns holding under New Hampshire make, is, that while they were under the Governor of the Massachusetts, they were prevented from Improveing these Lands, tho' their claim was as good then as now, which gave the people now in Possession an opportunity of Improving which they were debarred of. The only relief I can offer in behalf of these Inhabitants on this Strip of Land (if it should be His Majesties Pleasure, and meets with your Lordships Approbation) is, that I may have a Possitive, or prudential Instruction, to Incorporate these Inhabitants, into as many townships, as the Land, and their Circumstances will admitt of, Seting off to Each family, a reasonable portion of Land, according to the Improvements they have made; or that New Charters be given to Kingston, Chester and London-Derry, leaving these Inhabitants out of their New Charter, to be Incorporated into Towns; neither of which can be any Injury done Kingston Chester or London-Derry, since each of these Towns will after that be made Larger, than the Towns, I am permitted to grant by His Majesties Instructions.

My Lords From Pantucket falls to the Northward of the West line, I am not apprehensive of any other Difficulty, than from the grants made by the Massachusetts, of a great number of Towns refer'd to in Mr Hutchinsons Petitions, and many other private grants, in the same Lands, not taken any notice of in said Petitions, made by that Government, which grants were made by the Governor Council and Assembly, who have the power of granting Lands in that Province, and were pretended to be made for services done the Government, which at that time had not so good an aspect, and looks more like takeing Possession of the Kings Lands, at the time the appeal was depending before His Majesty, than rewarding the persons to whom the grants were made, for their Services, more particularly

Since that Government might have made ample provision for the persons who had done these Services in the Province of Main, where they have more than one hundred Miles Square ungranted.

I have made the Nicest Enquiry how far the Grantees have proceeded to Comply with the Terms of the Grants, according to the practice and Custom of that Government, and find that few or none have Comply'd, and many of the Towns have not made the Least advance towards it: where I have found any Inhabitants, I have Incouraged them to remain on the Lands, untill His Majesties Pleasure shall be known thereon.

Upon the grants of Townships on the West side of Merrimack, and the private grants, lying between the Rivers Merrimack and Connecticut, I have demanded the advice of His Majesty's Council, Who unanimously advised me to have no regard to any grants made by the Massachusetts on those Lands, inasmuch as there was no reaserve made of the pine trees growing thereon for His Majesty's Service, and that the Grants were made even while the appeals lay before His Majesty: In which point I am very clear my Self, but as I would act Cautiously in this Case; I shall hope to receive your Lordships directions therein, which I shall esteem a better authority, than my own opinion, or the advice of the Council.

B. The Govr desires the Boards directions in relation to Grants of Land made by the Massachusetts Gov^t to the west^d of Merrimack River in the Province of N. Hampshire.

The removal of this Impediment will have the greatest tendency to Increase this Province, when the affairs of Europe are Settled, at Present the Inhabitants are discouraged from making Settlements far back. Least there should be a French war. But I am very Certain that in four or five years after a General peace is Concluded, and all Impediments removed, New Hampshire will near double her Inhabitants.

C. He complains of a hardship in being restrained to the Small Grants of fresh Land to new Settlers.

By His Majesties Instructions I am restrained from granting more than fifty acres of Land to each person belonging to a family Servants Included, which I hope your Lordships will permit me to Say, is not so well Calculated for the Northern Governments on the Continent, because few or none of our Inhabitants, have any Servants Blacks or Whites, their familys consisting of the Man, his Wife and Children, and therefore the practice of granting Townships in this Government has allways been to grant Six Miles Square to not less than Sixty Such familys, and not more than one hundred, Re-

serving in each Town five hundred acres for the Minister, and five hundred acres for the School, the grantees being obliged in five years after the Date of the Charter to Erect a House for the Public Worship, to clear and Improve Ten acres of Land, and build a House and other suitable Conveniencies for each family and go on with additional Improvements, otherwise the Charter is Vacated, and the Land reverts to the Crown.

The Increase of this Province is not so much owing to Strangers comeing into it as to the Natural Increase of the Inhabitants, in this manner, Such as have large familys of Children, and small Possessions in the old Towns, sell these small tracts, and with the money, purchase Cattle, and other necessaries, in order to make improvements in the New Towns, for the benefit of their Children, and unless they can have from three to five hundred acres to a family, they don't think it a Suitable Incouragement, as the Lands before their Labour, and Industry is Laid out upon it, is of Little or no Value.

D. He says the old Manner of granting Lands to new Settlers is much the best for the increase of People in N. Hampshire.

As His Majesties 40th Instruction now stands, it will introduce a New method of Granting Lands in this Province, which I conceive may hinder the Settlement of the Kings Lands, as no inconveniency has heitherto arisen to the Crown, in the manner Lands have heretofore been granted, it will be more Incouraging to the Inhabitants to have the grants made in the way they are already acquainted with, (reserving the Quit rents to His Majesty, which I have taken a great deal of pains to reconcile the people to,) Least Evil minded persons should Lay Stumbling blocks in the way, in order to draw them off to other parts, where they are under no restraint whatsoever.

E. He wants power to grant Townships to Societies who would go from England & Ireland on those Conditions.

I must beg leave to observe to your Lordships, that by His Majesty's Instructions I am not permitted to grant Townships to any Society of persons whatsoever, let the advantage be never so apparently beneficial to the Crown, I mention this because I have had Sundry applications from persons of ability and Substance, (whose Inclination leads them to remove into this part of the world) in the North of Ireland and in England, who would oblige themselves to Settle and Improve Several Townships, with Sixty familys Each, within five years of the date of the Grant, and bring over Considerable Substance with them, in order to Erect a Linen Manufactory, and the raiseing Hemp and

Great advantages Expected from Settling Townships by English and Irish who understand how to raise Hemp & Flax.

Flax. If I might be permitted to give Incouragement to these Gentlemen, it would give a New Spring to this Province, and might be a means of Settleing a great part of the Kings Lands, which otherwise will Lay uncultivated for many years. The flourishing State of Pennsylvania is in a great degree owing to the Introduction of Strangers, and the Natural Increase of our Inhabitants will make but Slow advances in cultivating that great body of Land to the Westward of Merrimack, and to the Northward of the great Lake or Pond Winepiseoka, where the Lands are thought to be more Natural for raiseing hemp and Flax than for Corn, and the present Inhabitants are wholly unacquainted with Hemp, and very little with Flax, therefore I am of the opinion that nothing will be more advantageous to the Crown, than the Introduction of such people, the Kings Lands will be Sooner Cultivated, and Improved, and the Quit rents more regularly paid, and more Easily Collected.

The last thing I shall trouble your Lordships with, is upon the Subject of quit rents, which By His Majestys 39th Instruction is General, and without reserve, in all grants to be made by me. The original Grant from the Crown of New Hampshire was to Extend Sixty Miles from the Sea into the main Land, and the present Inhabitants haveing been at great Expence in defending this grant, think that so far as that Grant Extended, the Land ought not to be Subject to Quit rent, there being no mention made of it in the first grant.

F. a Difficulty appears in Levying quit rents in the Lands within the ancient bounds of New Hampe on which he desires Instructions.

The assembly has desired me to Satisfie them in that point, which I have defer'd till I had Stated the Case to your Lordships.

That Tract of land from Merrimack river down to the Sea is generally granted into Townships, and from the South End of Winepiseoka pond East to Newichwannok River, there remains only Land for five or six townships according to the best accounts I can have.

And if it should be His Majesty's Pleasure to let the Quit rents Commence to the Westward of Merrimack, the Crown could only Loose the Quit rents of about five or Six Townships, and the difficulties would be removed I should otherwise meet with, and the Inhabitants would have no great reason to Complain of any hardships on that account.

The agent for the Province will receive directions from the General Assembly to use his endeavours to obtain a dismission of the

G. The agent of the Province will endeavour to have Mr Hutchinsons Petitions dismissed at the Council office.

Petitions presented by Thomas Hutchinson Esqr at the Council office, and I hope your Lordships will take the difficulties, and Impediments I have mentioned under Consideration, for the Situation the Inhabitants are now in, who hold under the Massachusetts grants on the Strip of Land, between the Province line, and Kingston Chester and London-Derry, will finally Impoverish both sides, they have already had some Tryalls in our Courts, tho' Contrary to my advice, and the Jurys have allways found against the Inhabitants in possession, under grants of the Massachusetts.

I have in the best manner I could Stated to your Lordships, the Impediments to the Increase of this Government, and the difficulties I may Expect to meet with, in respect to grants of Land, and the Quit rents arising to the Crown, all which I humbly Submit to your Lordships, and beg leave to subscribe myself

My Lords your Lordships Most faithfull Servant

B. Wentworth

The Right Honble the Lords Commissioners for Trade and Plantations

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[3–111] [*Committee's Report relative to Men Raised in* 1743.]

Province of New Hampshire February 27th 1744 —

In Pursuance of a Vote of the Generall Assembly bearing date Jany 30th 1744 — appointing Us a Committee to enquire into the Grants that have been made of Men in the Year past, for the defence of the Government to receive the Muster Rolls consequent thereupon, Examine them, & make Speedy Report unto the Generall Assembly, In Order for their Allowance, having taken into Consideration the same, make Our Report as follows — Viz^t

That in May 23^d 200 Men were granted for One Month amo^g to	£250 —
That June 23^d 150 Men were granted half a month at 25/ as above	97,, 10
That July 16th 30 Men were granted One Month at 25/	37,, 10
That Aug 23^d 40 men were granted One Month at D^o	56 —
That Decr 21st 21 men were granted Two Months at D^o	52, 10
wch amounts to in the Whole	£487,, 10

Upon Carefully Examining the Muster Rolls, wee also find that there has been a number of Men under Command of Coll° Peter Gilman from 25th of May to the 23d July follow^g amounting to as by his Acco^t £90,, 17,, 5

also Coll° Joseph Blanchard at 25/ ℔ Each man ℔ m° according to the time being from 27th May to the 3d Septem^r follow^g amo^d to as ℔ acco^t 163,, 12,, 10

Capt Henry Sherburn from 29th May to 26th Sepr following as by Two Muster Rolls amount^g 88,, 12,, 6

Capt John Gage from 30th Augt to 26th Sepr follow^g 15,, 10 —

Capt Jon^a Chesly for 16 days 29,, 16 —

Capt Jerem^h Clough from 26 of June to 18th Decem^r by Two Muster Rolls 41,, 01,, 10

Benj^a Mathews for Two Muster Rolls for 24 days amount^g to 14,, —,, 6

Josiah Willard from 30th May to 6th Sepr follow^g amounting to 113,, 08,, —

Amount of Muster Rolls £556,, 19,, 1

John Downing
Saml Solly
Meshech Weare
John Fabyan

[3–112]

[*Warrant for the Arrest of Cyprian Jaffrey, for an Assault on a Member of the House*, 1744.]

Province of New Hamps^e } To the Sheriff of the Province of New Hamps^e — Greeting

L. S.

Whereas Cyprian Jeffrey of Portsmouth in Said Province Shopkeeper On the thirteenth Day of february Instant at Portsmouth aforesaid made an assault on the Body of Thomas Wallingsford of Dover in Said Province Esqr Then and now being a member of the House of Representatives for Said Province during the Sitting of the General Assembly of Said Province and him the Said Thomas Wallingsford then and there Evilly treated affronted & abused Which the Said House have Voted to be an Insult affront And Indignity offered to the Said House And that the Said Cyprian Jeffry should be forthwith bro't before the House to be Examined touching the Premises and Dealt with According to the Laws & Customs in such case made used & Approved

You are therefore hereby Required in his Majestys Name to Apprehend the body of the Said Cyprian Jeffry and him bring forthwith before the House of Representatives aforesaid to be dealt with according to the Said Laws & Customs And As to Justice doth Appertain and for your so doing this shall be your Sufficient Warrant Given Under My hand And Seal at Portsmouth aforesaid the 15th Day of February in the 18th Year of his Majestys Reign

N Rogers Speaker

Prov^e of New Hamp^r } March 4th 1744
I have taken the body of the within Named Cyprian Jeffery And brought him before the Honorable House

Thos Packer Sh^r

[Mr. Jaffrey was released on making an apology before the House. See Vol. V., p. 305. — ED.]

[3–113] [*Bill for Powder Furnished a Detachment*, 1744.]

In obedance to His Excelences order to me for Twenty five men to march to Exeter Thay forth with marched, but found no powder Sent for them, nor not any to be Bought upon applycation to the Select men of Hampton town thay waire Emmedatly Supplyed with halfe a pound for Each man amounting to Twelve pound & a halfe which I Rec^d and Sent to Exeter by m^r John Hobs thair Commander —

Hamp^t June 13th 1744 Ree^d ℔ Joshua Wingate

Dr The Province of New Hamps^e to the Select Men of Hampton

1744 To 12 Pound & 1/2 of Powder Deliverd for his Majestys Service By Order of Coll Wingate at 3^s/ p^r Pound Amounting to £1 : 17 : 6

Samuel Palmer } In Behalf of the Selectmen of Hampton

Prov^e of N Hamp^r In the House of Rep^tives Ap^l ye 10th 1745

Voted that ye a^cct be allow^d & paid out of the money in the Treasury to defray the Charge of the war it amounting to one pound Seventeen Shillings & 6

Hen Sherburne Clerk

In Council Eod^m Die read & Concurred

Theod Atkinson Sec^ry

Eod^m Die Assented to B Wentworth

War : 4th May

[3–114] [*Bills for Repairs at Fort William and Mary*, 1744.]

1744	Province of Newhamps[e] To John Robinson Jun[r]	D[r]
to	4 Large Carriages & 4 prs Wheels @ £12 ℔re	£48,, —
	3 pre D[o] Smaller @ £9,, pre	£27,, —
	4 Large Axeltrees @ 8/	£ 1,, 12,,
	4 D[o] @ 5/ Mending Rings 10/	£—,, 15,,
to	10 dayes Work @ 15/	£ 7,, 10,,
to	10 D[o] @ 15/	£ 7,, 10,,
	Expences in Drink	£—,, 11,,
		£92,, 18
to	2 Small axeltrees @ 5/ Each	10
		£93,, 8

John Robinson
July 3[d] 1744 Richard Calley

John Robinson & Richard Calley made oath that the Wheels Carriages & axeltrees above Charged were delivered at his Maj[tys] Fort W[m] & Mary — before — Sam[el] Gilman Jus : of peace

July 3 — 1744 allow[d]

In the House of Representatives July 4[th] 1744 :
Voted/ That the within accompt be allowed and paid out of the Publick Treasury, the Sum of Nienty three pounds Eight Shillings (old tenor) in full of the within accompt and that it be paid out of the Money Laid in for Repaire of Fort W[m] & Mary

James Jeffry Cle[r] ass[m] —

Prov. New Hamp[r] In Council July 14[th] 1744 —
read & Concurrd Theodore Atkinson Se[ry]

Eod[m] Die Assented to B Wentworth

[3–115]

Stretham June y[e] 18 — 1744

Then Received of And[r] Wiggin Esq[r] five pear of wheels and five pear of Carriges and five Exeltrees Which I promas to Deliver at the forte William and Mary at newcastel in Newhampshire for His Majestys Use Received by me

Joseph Miller

[3–115]

Province of N Hamps^{r} to An^{d} Wiggin Esqr D^{r}

1744

June 18	to 1 pre Large Wheels Carri^{a} & axel Trees	£12,,	8,,
	to 4 pre of Wheels @ £6 pre	£24,,	—
	to 4 axeltrees 2 at 8/ pre & 2 @ 5/	£ 1,,	6,,
	to Timber for 4 Carriages	£12,,	—
	to making 4 Carriages	£10,,	—
	to 2 dayes my Self & Horse	£ 2,,	—
	to Expences to the Workmen & Gundulow	£ ,,	10,,
	to p^{d} Mr Pottle for mending Hoopes for ye Carriages		9
		£62,,	13

And^{r} Wiggin

In the House of Representatives July 2^{d} — 1744

Voted/ That the above acc^{t} be allowed and paid out of the Publick Treasury out of the Money Laid in for Repair of Fort W^{m} & Mary the Sum of Sixty two pounds thirteen Shillings (old Tenor) —

James Jeffry Cle^{r} ass^{m}

July 14th 1744 —

In Council read & Concurrd Theod Atkinson Se^{ry}

Eod^{m} Die Assented to B Wentworth

[3–116] [*Letter from G. Clinton to Governor Wentworth.*]

New York 2 July 1744

S^{r} I am fav^{d} with yours of the 15th June & am obliged for your Compliments upon My Safe arrival here,

I am glad to find your Governm^{t} So readily inclin'd to Support the common Cause, to which I Shall not faile to contribute all I can —

My Interview with the Indians was calculated for the advantage of his Maj^{ties} Collonies in Gen^{ll} and I hope my meeting them So early, will answer the Expections I had therefrom,

But to prevent the Excursions of the French in to any of the Northern Provinces from their Fort at Crown Point, it will be necessary to build a Fort Some little distance from it, and Garrison it at the Common Charge of the neighbouring Provinces, till measurs can be taken Jointly to demolish that Fort & drive the French to the other End of the Lake againe I am verry truly S^{r} your Excell^{ys} most obedient humble Servant

G Clinton

His Excell^{y} Ben Wentworth Esqr Copy

[3–117] [*George Jaffrey, Jr., relative to Records of Court.*]

Province of New Hampshire, Portsmouth July ye 13th 1744

To the Honourable The General Assembly of said Province now Sitting at Portsmouth —

The Memorial of George Jaffrey Junr Clerk of His Majesty's Superior Court of Judicature &ca — Sheweth —

That on or about the Tenth Day of May last past, Mr Benjamin Gambling being Clerk of said Court was then, by Sickness, rendered unable to officiate in said Office, when the Honourable the Justices of said Superior Court of Judicature did Appoint, and did Administer the oath of Office of His Majesty's Superior Court of Judicature to, your Memorialist; and Sent a written Order to Mr Gambling late Clerk, to deliver all the Records Files and Minutes belonging to the Said Clerk's Office to me which were received Since Mr Gambling's Decease. And that upon looking into the Record-Book the following Omission of Recording in Said Book plainly Appear'd; (vizt) That there is no Judgement Recorded from February Term 1720, untill August Term 1735, and none from August Term 1738, to this time — which may be evident to the Honourable Assembly on viewing Said Record-Book, which is ready to be produced before them if they See meet. And that ye vacant Pages in Said Record-Book will not Contain the Judgements unrecorded in ye Minute Books and Files now in Said Office; and there is in the Office, only the said Book for Records — And that all the Files and Minutes, with Said Record-Book, your Memorialist Received (which at the Reception, were declared to be the whole Number & Quantity that did Appertain to the Clerk of the Said Superior Courts Office) all which are now carefully Reposited in the Office of your Memorialist.

Which State and Condition of the said Office as I now find it, I think myselfe in Duty bound to make known to the honourable General Court Sitting in General Assembly; as also to produce or relate anything furthcr appertaining to Said Office for their Consideration, which they shall think meet to require —

All which is humbly presented to the Honourable General Assembly now Sitting at Portsmouth —

By George Jaffrey Junr Clerk of His Majesty's Super^r^ Court of Judicature &c^a^ within and for the Province of New Hampshire —

[3–119] [*List of Men Sent to Manage Gondolas.*]

Portsmouth July 17th 1744 —

Sir, — I have your order of the 7th Ultimo Acquainting me that

His Excellencey desired I would send down propper men to manage the Gondulo's for Transporting Sods to the Fort William & Mary, which I have done Accordingly & here returne a list of theire Names as below, And am, Sir, Your most h^ble^ Servt

June 20th James Clarkson

Richard Evens	Samuel Lang	Caleb Hacker
Eben^r^ Jackson	Peter Mathews	Thomas Harts Servt
George Seaward	William Adam	Frances Gammon
George Huntriss	Oliver Tucker	David Gammon
John Cotton	John Noble	John Fickett
Nathl Melsher	Saml Triggs	James Clarkson Junr
Henry Bak	Thomas Loud	hired Henry Bak
Israel True	Jotham Odiornes Servt	Thos Hart Servt for him
Capt Nathl Jones Servt	John Shackfords Servt	Obediah Marshalls ditto
Joseph Gray	Henry Bak for Caleb	Ezekiel Gummer
		Rowland Green
		Samuel Monson

the Above men being Sent to the Fort As Above Served Seven Days Each —

James Clarkson Servt Jon^a^ Boothby was pressed by Major Greenleaff's order to ye Fort as a Sold^r^ and Served fifteen Days — July 19th there time is up —

[Endorsed] On His Majesty's Service To The Honble Theodore Atkinson Esqr In Portsmouth

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[3–120] [*Matthew Livermore's Memorial*, 1744.]

Province of New Hamp^r^ } To His Excellency Benning Wentworth Esqr Governour and Commander in Chief in and over his majestys Province of New Hampshire in New England and Captain General of the same To the Honorable his majestys Council for said Province and House of Representatives in General assembly convened —

The Memorial of Matthew Livermore of Portsmouth in the Province of New Hampshire most humbly shews —

That Since your Memorialist has had a Commission to be Attorney General for s^d^ Province, there have been Sundry Persons Indicted for Capitall offences and Sundry for Counterfeiting the Paper Bills of Credit on this or the neighbouring Governments — That at one Term one Thomas Molony was Indicted for the Murder of one John Demedis and tryed for his life — at another Term one Stephen Pendergast

was Indicted for Rape and tryd for his life at another Term one —— Kenniston was Indicted for a Burglary and tryd for his life — at another Term two Persons were Indicted for the Burning a house at Dover in s^d^ Province — at another Term four Persons were indicted for the Murder of one Abigail Dent and Two of them Tryed for their lives and at the same Term Two Negros were Indicted for Burglary, one of which had two Indictments against him — at another Term Two Women were Indicted for the murder of their Bastard Children Tryd convicted and executed — at another Term A Negro woman of Capt Saml Banfill dec^d^ was tryd for her life for the murder of her bastard child That at another Term one Chapman was Tryed for passing counterfeit Money — at another Term Paul Giles and Benjamin Gooch were Indicted for passing counterfeit paper Money — and Gooch was tryd therefor — at another Term Reuben Daniel and Benjamin Mathes were tryd for passing counterfeit paper money — at another Term Salathael Denbo was Indicted for passing counterfeit paper Money (besides sundry others whose names your Memorialist can't call to mind) That Sundry of s^d^ Trials were attended with much trouble and difficulty to your memorialist, Especially the Trials of the persons prosecuted for the murder of Abigail Dent which, with the Special Courts for convening and examining Evidences took up a week at least — where your Memorialist was obliged to attend — and of the two women that were executed, whose tryals before the Sup^r^ Court took four days, besides several Special Courts for examining witnesses where your memorialist attended — also the Tryals of Reuben Daniel and Benjamin Mathes —

That the fee by law taxed in such Cases is by no Means Equall to the burden and difficultys that attend them — Wherefore your Memorialist prays your Excellency and Honours to take this Memorial under your wise and candid consideration and allow your memorialist what may be thought reasonable for the afores^d^ services —

Matthew Livermore.

Feb^ry^ 22^d^ 1743 —

In the House of Representatives ffeb^y^ 24th 1743/4

The within Memorial Read, and Unanimously Voted That in Answer thereto, There be paid the Said Matthew Livermore Esqr out of the Publick Treasury (out of the Money Laid in for Support of Governm^t^ & Contingencies &c^a^) the Sum of ten Pounds Proclamation Money — James Jeffry Cle^r^ ass^m^ —

In Council July 27th 1744 —
the above Vote & read & Concurrd Thedore Atkinson Se^ry^
Eod^m^ Die Assented to B Wentworth

[3–121] [*Receipt for an Indian Delivered to Colonel Willard.*]

July ye 27th 1744 —

Recd this Day of Capt Richard Jenneas & John Gage a Commitey of the a Sembley of the Province of New hampshir an Inden (old man) Neamed Massagunt Which I Promas to Carrey to fort Dummer on Conetuticuet [Connecticut] River & Deliver him to Corn^ll Willord for which Truble and Charge I have Recd Seventeen Pounds teen Shillings of Gorge Jaffery Esqr Trasurar for sd Province —

pr John Spafford

[3–121] [*Material for Fort William and Mary*, 1744.]

Kittery July 16 — 1744 The Provence of New Hamshear Dr

To solt marsh for sods for ye fort W^m & Mary Containing betwen two & three acors — 40. 0. 0

to Lodging ye men that Cut ye sods two weeaks & dresing vitels &c — 5. 0. 0

45. 0. 0

Richd Cutt Ju^r

In the House of Represen^t July the 28th 1744 voted/ That the above accompt be allowed and paid out of the Treasury, out of the Money for Repaire of Fort W^m & Mary the Sum of forty five pounds (old Tenour) James Jeffry Cle^r ass^m

Eod^m Die read & Concurrd Theod Atkinson Se^ry

Eod^m Die Assented to B Wentworth

[3–122] [*Fort Account for Repairs*, 1744.]

1744 Province of New Hampshire for Repairs of Fort William and Mary Dr

To His Ex^cy Entertaining Committee &^ca at ye Fort.	£30,, 0,, 0	To John Jones's 2^d Acco^t		6,, 0,, 0
To Nathl Meservy's Acco^t	54,, 15,, 3	To Mr Sparhawk for coal.		8,, 0,, 0
To Andrew Wiggen Esqr for Cariages	62,, 13,, 0	To David Boys.	Acco^t	42,, 15,, 0
To Richd Colley & Robinson for Ditto.	93,, 8,, 0	To Capt Jennes.	D^o	1,, 10,, 0
		To Jer^e Neal	D^o	3,, 12,, 0
		To Robt Green.	D^o	16,. 4,, 0
		To John Moffat Esqr	D^o	4,, 16,, 0

To Richd Cutt for Sods	45,,	0,,	0
To Charles Hoyt his Accot	4,,	4,,	0
To Wm Bucknells. Do	18,,	12,,	0
To John Jones. Do	17,,	5,,	0
To John Shackfords. Do	15,,	6,,	0
To Wm Lock's, Do	21,,	0,,	0
To Wm Caverly's. Accot	£28,,	10,,	0
To Thomas Bell. Esqrs Do	311,,	8,,	5
To Mr Battson's 2 Accot Do	61,,	10,,	0
To Sundry Laborers.	319,,	14,,	4
To Stephen Marches. Do	43,,	6,,	5
To Moses Nobles. Do	6,,	12,,	0
To Thos Harts. Do	3,,	12,,	0
To Nathl Furbers. Do	5,,	10,,	0
To ObediahMarshalls. Do	25,,	16,,	0
To Wm Neal's. Do	10,,	0,,	0
To John Randels. Do	2,,	0,,	0
To Will Jones's. Do	9,,	15,,	1
To Richd Neal's. Account.	23,,	17,,	0
To Mr Giddings bringing down wheels	8,,	13,,	0
To John Randell's Accot	1,,	6,,	0
To Messrs Wentworth & Gooch. Do	21,,	10,,	10
To Nathl Lang for feriage	5,,	0,,	0
To Mr Shores for Do	0,,	10,,	0
To James Clarkson Esqr	18,,	9,,	0
To Jotham Odiorne Junr Esqr	61,,	12,,	0
To Richard Perrey his Accot	20,,	0,,	0
To Geo: Jaffrey Esqr Sundry Provisions as pr accot	115,,	11,,	0
To Riben Snell.	12,,	0,,	0
To Geo: Huntries.	2,,	10,,	6
To Sundry Gundelomen Each 25s/.	55,,	0,,	0
To Capt Husk's Accot	5,,	5,,	0
To Geo: Jaffrey Esqr 4 Days.	5,,	0,,	0
To Theo: Atkinson Esqr 6 Days.	7,,	10,,	0
To Joseph Peirce Accot	1,,	10,,	0
To Mark H Wentworth Esqr	25,,	4,,	6
	£1688,	7,	10
Towl & Co Labourers.	—,,	12,,	10

[*Gov. William Shirley, of Massachusetts, to Gov. Benning Wentworth*, 1744.]

[The letters of Governor Shirley to Governor Wentworth are preserved in the "Belknap Papers" in the archives of the New Hampshire Historical Society. A portion of them were printed in Vols. V. and VI. of the Provincial Papers, and the remainder will be inserted in this volume. — Ed.]

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 192.]

Boston Sept 25, 1744.

Sir, I did not receive your favour of the th instant 'till the day before I set out with some of my family upon a small Tour to Bristol, wch is the reason yt I have had no opportunnity of answering it 'till now, wch I hope will not be too late for your purpose.

As to the intended emission of £5500 in bills of Credit, tho' all the appropriations of it are exceedingly good, yet I think it would have been a very hazardous step for you to have consented to an act for that purpose so soon after the very great Indulgence of the Crown to your Assembly in permitting 'em to emit so large a sum as 25,000lb beyond what was limited by your former Instruction, without

a suspending clause in it at least to prevent it's taking effect 'till you should receive his Maj'ys pleasure upon it: and if the assembly will not agree to an act with such a clause inserted in it, and the Governm^{t} should be in absolute want of the bills of Credit I should think it safe for you, when the bill had pass'd both houses to transmit a copy of it home in order to obtain a new Instruction permitting you to supply the Treasury wth that further sum in bills, but y^{t} it would not be advisable by any means to consent to the enacting of the bill without a suspending clause in it.

The fund provided in the other vote for drawing in the 1500^{lb} intended new emission is by no means a sufficient one, or more properly speaking it is no fund at all for sinking the new bills: and there is also another very essential fault in that vote: For the assembly thereby assume to themselves the power of erecting forts & garrisons in such manner as they think proper, whereas the disposition of that matter both as to the manner of building, the materials, the time, & place solely appertains to the Captain General, and the assembly have no right to intermeddle in it, after they have rais'd the money, any further than to appoint a Committee to receive & pay the money to workmen & in purchasing materials pursuant to the directions of the Kings Governour, I mean, after examining the workmen's acc^{ts} themselves, & y^{t} they may purchase materials of whom they please, & agree wth what workmen they please in the most frugal manner for the province, and to be accountable to the General Assembly for their disbursements and application of what they receive; in all wch the sole direction of the manner y^{t} of building the fort or garrison rests on the Captain General, & the Oeconomy [?] part of making prices and agreem^{ts} wth workmen, artificers and tradesmen pursuant to his directions, and receiving & paying the money rests in the Committee; and this is the utmost length wch they ought to be permitted to go, and all beyond that is incroachment upon the Kings prerogative.

At the request of the administrators of poor Captn Prescot & for the sake of his family I now take the liberty, Sir, of mentioning a word concerning the Musquets & Bayonets lately belonging to his Company wch you have lay'd your hands upon for the use of the province, in wch case it really appears to me plain y^{t} the adm^{rs} ought to be paid by your Governm^{t} for 'em or to have 'em returned; as to the property of the Muskets, by the express terms of the Royal Proclamation for encouraging men to enlist for the service of the Cuba Expedition, at the end of the Expedition they belong to the soldiers, so y^{t} such of 'em as were alive at the end of that Expedition or their Representatives, if they are since dead, are intitled to demand so many muskets of Prescots admin^{rs} and as to the guns of such soldiers

of the Company who dyed before the end of the Expedition, upon the best Information I can get, the Crown never demands an acc^{t} of 'em in such case of the Captn; For as to the King the arms are sunk upon the distribution of 'em and the Captains are accountable to the Crown only during the keeping up of the Companies, and not after they are disbanded; and I really can't see upon what just grounds your Government can take the arms from the adm^{rs} without paying for 'em. I am wth much respect & esteem,

Sir Your Excellency's most obedient Humble servant

W. Shirley

His Exc^{y} Govr Wentworth.

[See Vol. V., p. 257. — Ed.]

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 193.]

Sir, I have but one moment's time to acknowledge the favour of yours wth my packet for wch I am extremely obliged, as also for your care of my box —

I wish you a good Deliverance of Whitefield and a safe arrival of the Gunpowder from the Board of Ordnance, and am wth great respect

Your Excellency's most obedient humble servant

W. Shirley

Boston October 16 — 1744

I sent Mr Bastides Letter to him —

Our Friend Mr Belcher I hear is upon the point of Marriage to a Widow wth 6000.

His Exc^{y} Govr Wentworth.

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 199.]

Boston Jany 1, 1744 [1745 N. S.]

Sir, Upon receiving your last favour I ordered the Secretary forthwith to make out the proper warrants for you & your Deputies, as Surveyor of his Maj'ys Woods, within the late province of Maine; But he informs me it is necessary y^{t} y^{r} Commission should be first

recorded in His office within this province; For as all the others are, and Col. Dunbar appears upon those records at present to be Surveyor Gen[l] it should appear in the same manner y[t] he is superseded by your Commission, before any act of Governm[t] can be properly done upon your Commission: I believe this is right and if you will transmit your Commission to your Brother or me by the next post I will deliver it with my own hand to the Secretary and will be answerable for the return of it with the warrants to the post by his return.

I hope our friend M[r] Yeamans kept his Christmas w[th] his friends in England, and wish you many prosperous new years in your Governm[t] and y[t] this in particular may prove so; and am

Your Exc[ys] most obedient Humble ser[t]

W. Shirley

Gov[r] Wentworth.

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 200.]

Boston Jan'y 7, 1744 [1745 N. S.]

Sir, On Saturday night Gerrish delivered w[th] his own hand your favour inclosing to me the Exemplifications of your two Commissions, w[ch] I will return you by the same hand next week w[th] the proper warrants — Cary's arrival here yesterday afternoon in 7 weeks from the Downes has made my hands full of business at present, I hear by him y[t] His Maj[ys] ship Victory with Admiral Balchen & upwards of 1100 men, 200 of 'em being Gentlemen Volunteers was lost on the Coast of France, and not a soul escaped the wreck; our Troops in Flanders are gone into Winter Quarters; Prince Charles joined w[th] 25, or 30,000 Troops of Poland has put the King of Prussia to a continual retreat; the siege of Coui is raised and the King of Sardinia is in high spirits; the Czarina has given assurances of making all Engagem[ts] good to his Maj[ty] and the Queen of Hungary in the Spring, w[th] excuses for not doing it before; The Dutch have not yet declared, nor very near doing it; and the report of Giberalter's being besieged y[t] is groundless. I am w[th] much truth and esteem

Your Excellency's most obed[t] Humble servant

W. Shirley

His Exc[y] Gov[r] Wentworth

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 201.]

Boston Jany 15, 1744 [1745 N. S.]

Sir, I have now time only to send the inclosed, which the Secretary has drawn in the usual form: if there is any thing further wanting from me be pleased to let me know it, and it shall be forthwith transmitted — The Secretary assures me y^{t} there is no preced^{t} of this Governm^{ts} issuing out warrants to assist in the execution of any Commissions without first recording the Commissions, & y^{t} it would be deem'd an Irregular thing to depart from it: However had there been any Inconvenience, that could possibly have arisen to you by the recording of these Exemplifications, wch to me are of the same force with the Commissions themselves, I would have freely done it, but would avoid giving any handle of cavil to opposers, as Mr Whitefield calls 'em, without any necessity for doing it.

I shall have the honour of writing to you at large by next post, and am wth great esteem

Your Excellency's most obedient Humble servant

W. Shirley

His Exc^{y} Govr Wentworth

[3–124] [*Governor's Order to Enlist a Scouting Party*, 1745.]

Province of New Hampshire

To Mr Benj^{a} Mathews

You are hereby Authorized to Inlist nine Effective men & take them under your Command, & march them forthwith to Newicwannock river above the Mast men & from thence You are to march to Winnipisseake pond, and after Scouting to the Northward of the pond a day or two, You are to return to Newicwannock river & to Continue Scouting

to the pond for the
Including the dan — [Original torn.]
Comeing back

and Carefull in your Marches, and if it should so happen that you make any discovery of the Enemy, you are Immediately to return and Express an Account thereof to me, when the twenty Days are Expired, you are to dismiss your men for Six Days, and give me An Account of your March & what has happend — Given at Portsmouth, at Arms [?], Jany 11th 1745

B Wentworth

[3–125]

[*Orders to Captain Meservey to Enlist Men for Cape Breton Expedition*, 1745.]

Province of New Hampshire

By his Excellency the Governour, I do hereby Authorize
L. S. & Impower Cap[t] Nath[l] Mesharvy — to beat his drums within the Regiment of Militia, whereof Theodore Atkinson Esq[r] is Colonel, for the enlisting of Voluntiers for his Majesties Service, in the Intended Expedition against the French of Cape Breton; for the Conducting of which Expedition, William Pepperrell Esq[r] is Commander in Chief, — And the said Colonel, with the other Officers in the said Regiment, are hereby Commanded not to give the said Nath[l] Mesharvy any Obstruction or Molestation herein, but on the Contrary to Afford him all the necessary encouragement & Assistance for which this is a Sufficient Warrant.

And the said Nath[l] Mesharvy is hereby required not to Suffer this Warrant to go out of his hands, nor to give Copies of it to any Person whatsoever, but after he has made the full use of it, to make return thereof into the Secretary's Office.

Given under my hand & Seal at Portsmouth the 14[th] day of Feb[y] 1744. In the Eighteenth year of his Majesties Reign.

B Wentworth

[3–126] [Same to Captain Ezekiel Gilman, Downing's Reg.]

[3–127] [Same to John Tufton Mason, Col. Atkinson's regiment.]

[3–128] [Same to Captain Henry Sherburne, Atkinson's regiment.]

[3–129] [Same to William Seward: Atkinson's regiment.]

This has the following return on the back: "By the Verter of this Warrand I have Inlisted fortey-six men my selfe Exclewed

William Seaward"

[3–130]

[Warrant, same as the foregoing, to Samuel Leavit, in Col. Joshua Wingate's regiment, with the following names on the back. — ED.]

Jeremiah Marston	James Marston	Josep Hall
Moses Leavitt	William Marston	Josias Shaw
Nathaniel Moulton	Joseph Redman	Shubal Darbon
Jonathan Godfrey	David Moulton	Jabez Towl
Nason Cass	John Blak iur	Abner Samborn
John Marston	Joshua Levit	John Sleeper
William Huse	William Vittum iur	Nathaniel Mason
Daniel Tilton	William Vittum	Jeremiah Dow
Jeames Talor		

[3–131]

[Warrant same as foregoing to Jonathan Prescott, of Wingate's regiment, on the back of which are the following names :]

Ebenezer Gove	Jonathan Cass	Josiah Blake
Benjamin Cram	John Fellowes	John Moody
Theophilas Wadleigh	[One name I cannot decipher.]	

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 209.]

Boston Feb^{ry} 25. 1744 [1745 N. S.]

Dear Sir, The Scarcity of men in this province is at present so great, occasioned by the Demand we have for 'em to man our own vessells designed for the service of the Expedition, that I am oblig'd to let Capt Graves go from hence upwards of twenty men short of his Complement, which I am sorry 'tis not in my power to help him to : as the speedy and safe arrival of his ship with the Mast ship under his Convoy is of great Consequence to his Majesty's ships at Jamaica. if you could get that number of men for him or 'assist him in procuring them it would very much promote his Majesty's Service, and be esteem'd by me as a particular obligation.

I am with Respect and Esteem Sir

Your Excellency's most Humble & obedient servant

W. Shirley

His Exc^{y} Govr Wentworth.

[3–133] [*Petition of Abraham Trefethen of New Castle*, 1745.]

To His Excellency Benning Wentworth Esquire Governour and Commander in Chief in and over his Majesty's Province of New Hampshire,

The Honorable his Majesty's Council, And House of Representatives for said Province in General Court Convened Feb^{ry} 28th 1745 —

The Petition of Abraham Trefithen of New Castle in s^{d} Province Gent^{m} Humbly Sheweth, That in the late Expedition against Louisbourg your Petitioner had beating orders (to enlist men in the service against s^{d} place) bearing date Feb^{ry} 15th 1745 that he was diligent in the prosecution of s^{d} affair till the 4th of March following during

which he was at considerable Expence and not succeeding here, Yet His Honour Lieu^{t} General Pepperrel was pleased to Constitute your Petitioner by Commission under his hand and Seal bearing date Canso April 15th 1745 to take charge of a Company of men drawn from Coll^{l} Moore's Regiment of which Company he had the Command from April 15th to July 9th during which time he was alternately on duty by night and day and faithfully discharged the Trust reposed in him your Petitioner therefore prays this Honourable Court to take the Premises under Consideration and make him such an allowance in Common wth officers of his rank and Station as was agreed on by this Hono^{bl} Court for their care and trouble.

And your Petitioner as in duty bound shall ever pray — &c —

Abraham Trefethen

Portsm^{o} Feb^{ry} 28th 1745 —

May 7th 1746 In Council read & Sent Down

Theod^{r} Atkinson Se^{ry}

A List of men in my Company — viz : of Abraham Trefithin —

Capt Abraham Trefithin	Joseph Atkinson
Lt Jonathan Gilman	Joseph Barber
Ens^{n} Philip Yeaton	Charles Robinson
Davison Dudley	James Marsh
John Carty	Benj^{a} Cummin
Paul Nute	Hawley Marshal
Amos Dolloff	Abner Hunt
Jonathan Leavitt	David Gooding
Morrice Fowhour	Saml Tobey
David Kinkett	Benj^{a} Daniels
Richard Waldron	John Turner
Ichabod Hill	Isaac Browne

Copia Vera John Eyre Adj^{t} to s^{d} Regiment

Read & Sent Down March 1 : 1745

T Atkinson

Dismised

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 213]

Boston, March 1, 1744 —

Sir —

Gerrish your Express will deliver you the money you wrote for, being five hundred and thirty or forty odd pounds New Tenour to be

paid to Mr. Jaffrey, he giving a rec^{t} the Tenour of wch I hope will be acceptable to you, as also that of the Blank Commissions. As to Provisions and hire of Transports, they shall be put to rights in any manner agreeable to you, wch is all I can say in the prodigious hurry I am now embarrass'd wth, and am wth much truth

Your Excellency^{s} most Obedient, Humble servant

W. SHIRLEY.

You may depend on the punctual performance of every tittle as to the pay of the men and all other expence and charge.

His Ex^{cy} Govr WENTWORTH.

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 215.]

Boston, March 4, 1744. [1745 N. S.]

Sir, As it will be uncertain where Mr Vaughan will be upon the arrival of this I am obliged to trouble you with 100^{lb} N. Tenour (by the bearer) to pay to those men, wch he shall have enlisted over & above the 150 to be aggregated to your Regiment, and to desire him to see y^{t} the men are march'd to Boston instantly to fill up the Incomplete Companies belonging to Colonel Hale's Regiment, wch will be there by the time those men get to Boston, or if he marches 'em to Charleston it will do: I must refer you for every thing else at present to Mr Bastide, who will dine wth you on Monday — I am sorry I am obliged to trouble you wth the Letter wch accompanies this, at this improper time; But I could not avoid, from the Importunity of the Council, and expectation of the assembly, doing it longer — I will write you further upon it by next post and must now subscribe my self in much haste and Truth

Your Exc^{ys} most obedient Humble servant

W. Shirley

His Exc^{y} Govr Wentworth

[The men referred to in the foregoing were raised in New Hampshire, over and above its own quota, to help Massachusetts fill its quota for the Louisburg expedition. See Vol. V., p. 983. — ED.]

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 132.]

Portsm° 29th March 1745

Dear Sr

I now Enclose you a Set of bills Drawn by Mr Brown on the Secretary of the Society in Lieu of those you Sent back Protested the Parson is at a Loss to know the reason of their being Protested they being Drawn in the Same form as those he formerly Drew he has made Some alteration now I hope they will be Curt & that you will give my Acco[t] Creed[t] therefor — Intrest &c from a Parson I cant take —

I alsoe now Inclose you Letter to Mr Jones with my Diary to Ladyday I hope you received those I Sent by Cap[t] Adams & that you Duely receive my money from Mr Jones The inclosed is a mem° from Doctor Peirce which I would have Sent by first opportunity & Charged to me —

I must alsoe Desire you would Send me by one of the Mast Ships to Chuse [?] or otherways if there is any Inconveniency a Qr of a bbll of best Sportsman gunpowder for mine & friends use you will have the News of the Province from the Governr & if I have time Shall write you again before the Ship Sails

I am with regards Your

T A

You have alsoe Enclosed Mr Longs order which Please to Note

To Cap[t] Thomlinson by ye Eltham Cap[t] Durell

[*Ibid.*]

March 29th 1745

Dr Sr

I wrote you this Day by the Eltham Cap[t] Durel Incloseing my Diary to Ladyday last & one Set of Bills Drawn as you See by the Enclosed I hope the bills will now be paid I am in great hurry Occasioned by our Late Embarcation ags[t] Louisbourge So must beg youd Excuse me who am with Esteem

Your H S

T A

Pray Send me a Loose rideing Coat that will Stand rain & bad wether of what Collour You think best

To Cap[t] Thomlinson

[*Message, House to Governor, concerning the Fort Dummer Controversy*, 1745. *Copied from New Hampshire Historical Society's Miscellaneous MSS., Vol. I., p.* 64.]

May it Please Your Excellency

Your Excellencys manner of treating this House, the Representatives of a Free People is intirely new unparliamentary & without Precedent of which your Excellency's verbal & written Messages of the 3^{d} Cur^{t} are not the first Instances. Your Excellencys Reflections on the House are so Gross & Coarse that should we answer them in equal Terms and Language it might be justly stiled unworthy and unbecoming & till your Excellency pleases to point out particular Instances to support your high charges these Indignities according to your Excellency's own Maxim must Center upon the author & we shall think ourselves & the People we represent highly injured —

We assure your Excellency that all Messages from this House are the genuine sentiments of the House & flatter onrselves that if your Excellency had duly deliberated on the Truths contained in our Messages & the Method of treating free Parliaments the Reflection on this head would have been spared —

May it please your Excellency —

We are the Representatives of a free People who by the Blessing of God thro' the happy Reign of His Present & late Majesty have been strangers to arbitrary power having been thro' the Smiles of Providence Blessed with Governors that have been tender of the Privileges of the People under whose happy Government this House have enjoy'd the Privilege of freely speaking their minds without being taxed with unbecoming Language and this makes any thing that looks like an Invasion upon our Rights and Privileges the more irksome and tedious to us — And as we are perswaded it will be very pleasing to His Most Excellent Majesty whose Royal Example in this matter as well as every other is worthy Imitation we pray that your Excellency will shew some Regard to the Privileges of the People we Represent which we see are in Danger of being swallowed up in the Term Prerogative of which the management with respect to His Majestys Royal orders relating to Fort Dummer and the unparalleled proceedings in a late affair relating to the Parish of Brentwood now before this House by way of Remonstrance for redress are too Flagrant Instances —

We are sorry that your Excellency obliges us to this plain, but we see absolutely necessary, way of justifying our conduct & Defending the Rights and Privileges of the yet free People we represent & there-

fore must proceed to say that His Excellency Governor Shirley on the 25th of February (1) as appears by His Excellencys Letter before this House transmitted to your Excellency a copy of His Majestys Royal Order In Council of the 6th of September (2) for the Supporting & Maintaining Fort Dummer Ordering "The Governor or Commander in Chief of New Hampshire forthwith to move the Assembly in His Majestys name to make Provision for that service tho' this Assembly was then sitting & had a Right by Virtue of His Majestys said Royal order to be forthwith informed of it & tho' its plain by His Majestys ordering the Government of the Massachusetts to take care of said Fort till a final answer might be obtained from New Hampr. That His Most Sacred Majesty Designed that this House should have time to deliberate upon it yet this House was kept under short adjournments when they might have been sitting & considering of this Weighty matter and not apprized of it by your Excellency till the 2d of April & tho' the Man of War had been expected every Day for a Month yet this House was not moved by your Excellency to consider of this weighty affair till she appeared off this Harbour and had sent in for the Mast Ships to come out to her & then your Excellency was pleased late in the afternoon after four of the clock tho' there was a House in the forenoon which your Excellency was informed of by a Message from them to send a Copy of His Majestys Order aforesaid with only a verbal Message requiring the House to come to a speedy Resolution about it that your Excellency might transmit the same to His Majesty when if the House had been prepared to Come to a Resolve & the ships could have got out they had not time to read over the Papers and draw up a Resolution in Form — The House were of opinion that His Majesty's Royal Orders were of such Importance as that they ought to take time maturely to Consider thereof & therefore determined to Consider and weigh things well before they came to a Resolution on such an Important Point — But your Excellency by your Several Verbal Messages so pressed them to an Immediate Resolve that they thought themselves obliged to send their Written Message to your Excellency of the 3d of April (3) upon which your Excellency instead of permitting them to adjourn themselves to three of the clock as usual when they might have met & Debated on this Matter adjourned them till five & then sent your Excellencys written Message of the 3d (4) And when the House Considering the wind was Contrary & had obliged the Fleet which had been under sail to come to anchor again were about to adjourn themselves over the Fast till Fryday morning your Excellency notwithstanding your great

(1) See Vol. V., p. 303. (2) See Vol. V., p. 301.
(3) See Vol. V., p. 305. (4) See Vol. V., p. 306.

earnestness for a Resolve of the House adjourned them till this day being Monday & thereby put it out of the Power of the House to do anything with Respect to those Royal Orders till now —

These Things May It Please Your Excellency we think are matter of Fact & such very Extraordinary ways of Proceeding as this People till very lately have not been acquainted with and may be justly called great Infringements on their Rights — And now we desire that the nicest Judges may say who has been trifling with His Majestys Royal Orders & let the Blame lay in the right place —

As your Excellency is pleased to mention your Excellencys great Industry in attending two days for a Resolve of the House &C. we cant help taking Notice that this House received your Excellencys Message with the Copy of His Majestys Royal Orders Relating to Fort Dummer at twenty Minutes past four in the afternoon & we believe attended in Council near seven — That your Excellency was in Council the next day about Ten and attended till about two and then adjourned the General Assembly till five & soon sent your Excellencys Message so that your Excellency did industriously attend upon the House near six whole hours for their Resolve on a point on which your Excellency is pleased to think the saving the most valuable part of the Province depends —

We leave this for your Excellency to reflect upon & say that as this Province have ever been remarkable for their Loyalty to His Majesty so we are resolved to do all we can to preserve that Character & we are so assured of His Most Gracious Majestys tender Regard for the Welfare of this People that we know we cant do it in a more agreeable way to Him than by standing up for our Rights & Privileges — & *therefore* say that if your Excellency will give us Leave and Time to consider of this Important Matter we will come to a Resolution on it as soon as we can — But in the mean time must say that if any Part of the Province should be lost for want [of] a Resolve of this House to go by the Fleet now in Port waiting for a wind the Blame must not lay on this House but must wholly lay where His Majestys Royal Orders in Council lay all the Month of March —

[The foregoing is endorsed, "House to Gov Wentworth"; and although not dated, was evidently prepared for Monday, April 8, 1745. On Wednesday, April 3, the governor sent a message to the House, which is printed in Vol. V., p. 306. Nathaniel Rogers and Henry Sherburne, Jr., were appointed to prepare an answer. Meanwhile the governor adjourned the General Assembly to the 8th. It is probable that Rogers and Sherburne each prepared an answer, as one

differing from this, which is printed in Vol. V., pp. 306–308, seems to have been presented. The foregoing shows that the House did not propose to be dictated by the Governor. — Ed.]

[*General Pepperell's Order relative to the Attack on Louisburg*, 1745.]

[New Hampshire Historical Society's MSS., Vol. I., p. 65.]

Sir — Immediately on the Transports Anchoring (on board which you are) in Flat Point Cove on the North East side of Chappeau Rouge Bay in the Island of Cape Breton you are to Land your Company & attend Col° Bradstreet who is to Command the whole Detachment Consisting of Eleven Companys in attacking the Royall Battery of Louisburg in the prosecution of which you must Lead your men on well armed with all the Resolution Necessary keeping their Spirits intent on the work before them The plan for this attack you have here with which under God I doubt not will succeed but in order thereto you must keep your men in the best order possible and allways under Command that they may enter notwithstanding any unexpected repulse or unforeseen accident on the consequence hereof depends in a Great Measure the Success of the Expedition which I doubt not the Goodness of our Cause and the Voluntary Dispositions of the men will make this a happy Beginning of in hopes of which I heartily wish you Success and am S^r^

Your humble Servt

True Copy Wm Pepperell

[The address is wanting. — Ed.]

[3–134]

[*Report of Committee on Men Raised for Scouting*, 1745.]

We the Subscribers Being Appointed By the House of Representatives to Examine Into the Grants of Men in the Year Past And Compare them with the Muster Rolls — Have therefore Examind the Grants by the Memorandum from the Secretary And Report As Follows, Viz^t^ That from the 23^d^ of May 1744 to the 24th of Augt following we find Grants for men to be kept in his Majestys Service On the frontiers and at the fort To the Amount of 11270 Days. And we Likewise having Examind the Muster Rolls already Bro't in find

that by the nearest Computation we Can make there has been in his Majestys Service kept Out On the West Side of Merimack river men to the amount of 6046 Days and on the frontier Between Merimack and Newichewanack River Men to the Amount of 5849 Days which is in the whole 625 Days more than allowd by the Grants Besides what have been kept at Fort William & Mary the Muster Rolls for which are not Yet Bro't in And According As to Us Appears there has been kept Out on the west Side of Merimack River Men to the Amount of 2050 Days More than we Can find Grants for —

Which is Humbly Submitted By

Meshech Weare
Peter Gilman

Prov : of New Hamps^e^ } Portsm^o^ Apr^l^ 10th 1745

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 222.]

Boston April 15, 1745.

Sir, I have just receiv'd orders from his Majesty, which encourage me greatly to proceed in carrying on the Expedition — Inclos'd are orders from Commodore Warren to Capt Durell to follow him with his ship to Cape Breton, which when you have perus'd 'em, please to seal and deliver to Capt Durell if he is still with you, or if he should have been sail'd so short a time that there is any possibility of overtaking him, please to send 'em after him instantly by some proper vessell.

I received Capt Warren's packet a quarter of an hour ago. I am with much Esteem Sir

Your Excellency's most Obedient Humble Servt

W. Shirley

His Excellency Benning Wentworth Esqr

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 223.]

Sir, I have the pleasure to inform you that two Hours ago arriv'd here his Majesty's ship the Princess Mary of 60 Guns, Captn Edwards Commander, who was sent in Company with the Hector a forty gun

ship, Captn Cornwal Commander, to assist in the Expedition against Cape Breton, and was designed to proceed directly before Louisbourg Harbour, but her Bowsprit being sprung she was forc'd to come in here for another, wth which Hallowell will furnish her tomorrow, and Mr Apthorpe with provisions by the same time; and I am in hopes she will be dispatched from hence to join Commodore Warren in three or four days with the Hector, who is hourly expected in — Captn Loring, by whom I sent my Dispatches to the Duke of Newcastle, stay'd but twelve Hours in London before he was ordered to go on board the Princess Mary: The Duke of Newcastle being out of town, his Secretary, Mr Stone, instantly lay'd my Letters before his Majesty, who upon reading 'em was pleas'd to express his approbation of the Expedition, and send the Letters to the Lords of Admiralty, whereupon a Board was call'd at eleven o'Clock at night — I understand their Lordships received the scheme with very great pleasure, and ordered away these two ships upon the spot, and would scarce give Loring leave to sleep, whom I sent home for a pilot to his Majesty's ships, before he went on board Captn Edwards.

I send this by Express after one of your provision vessells, which I beg you will hurry away instantly that they may carry my Letters to the Commodore and General.

I am Sir Your most Faithful Humble Servant

W. Shirley

Boston May 5, 1745.

I will endeavour to write by the post tomorrow — I have no letters; they are to come by Adams.

[3-135] [*Petition from Soldiers' Wives for Aid*, 1745.]

To His Excellency Benning Wentworth Esqr Governor and Commander in Chief in & Over His Majesty's Province of New Hamp^{r} The Honble His Majesty's Council & House of Representatives in Genl Assembly Convened June 7th 1745 —

The Petition of Sundry Women whose Husbands are gone in the Expedition against Louisburg Humbly Shews

That your Petitioners families are in Daily Want of Support & are now destitute of the help they used to have by the Day Wages of their Husbands on which only they Depended for Subsistence — and tho' by the favour & goodness of the Genl Assembly Some Allowance has already been made Since their Said Husbands Departure yet it being but Small was Soon Expended and as Your

Petitioners hope the Wages is Still going on & Something is now due (on that Supposition) and as it Seems unreasonable that the Families of those who Expose their Lives daily for the Good of their Country should be left to Suffer by that means Your Petitioners cant but Hope & Humbly Pray that Some farther allowance may be made for the Support of their families & the Supply of their precent Necessities for which they Shall as in Duty bound Pray &c —

hir
Mary M Martin
Marke
elesebeth deaves
elesebeth wellch
leaDah bickford
her
Ruth × Spriggs
mark
her
Ann × Broughton
mark
Sarah Batt
her
mary × Green
mark

her
pation × Hull
mark
her
marget + Dunn
mark
her
mary M W Watters
mark
her
Eliz[a] + Jackson
mark
mary huntris
Sarah partridge
mary huntris

[3–136] [*Crew of the Ship Endeavour*, 1745.]

A Portledge Bill for the Sloop Endeavour on Acc[t] of this Expedition June 19[th] 1745

MEN'S NAMES.	Stations.	Wages per Month	Advanced Wages	Sum Total	Wages Due	For Bounty & Blankets rec'd which they ought not to have had.
		£	£	£	£	£
John Wise	Master	3. 0. 0.	3. 0. 0	11. 9	8. 9.	1. 12. 6
John Leach	Pilot	2. 18. 0.	2. 18. 0	11. 1. 4	8. 3. 8	1. 12. 6
John Forgoson	Mate	2. 10.	2. 10. 0	9. 11. 1	7. 1. 1	1. 12. 6
Nicholas Harford	Sailer	2. — –	2. 0. 0	7. 12. 11	5. 12. 11	1. 12. 6
Benj[a] Furbush		2. — –	2. 0. 0	7. 12. 11	5. 12. 11	1. 12. 6
James Smith		2. — –	2. 0. 0	7. 12. 11	5. 12. 11	1. 12. 6
Daniel Emery		2. — –	2. 0. 0	7. 12. 11	5. 12. 11	1. 12. 6
					46. 5. 5	11. 7. 6

Errors Excepted June 1745

John Wise

Province of N Hamps } In the House of Representatives Capt John
June 25 1745 } Wise came into the House & made Oath to the Truth of this Portledge Bill —

D Peirce Clk

Province of } In the House of Representatives June 27th 1745
N Hamps^{e} } Voted That there be allow'd & paid out of ye money in ye publick Treasury for paying Soldiers & Sailors on ye Expedition ag^{t} Louisbourgh twenty one Pounds seventeen Shillings & eleven Pence in full for this Portledge Bill.

D. Peirce Clk

Sent up by J Gage Esqr

The Am^{o} of what the Capt Says is Due £46 5. 5 Deduct out for Blankets & 20/ bounty pad each man which the Seamen ought not to have £10. 7. 6
also 40/ allowance to be paid to the Men or their Wives &c by Vote of Genl Assembly 14. 0. 0

24. 7. 6

The Am^{t}	£46.	5.	5
to be Deducted	24.	7.	6
	21.	17.	11

[The men were shipped March 4, and discharged June 19. — Ed.]

[3–137] [*Benjamin Thomas, Wounded Soldier*, 1745.]

Whereas Benj^{m} Thos of Portsm^{o} Receivd a wound in ye Exp^{n} Against Louis^{h} & Upon presenting his memorial representing his Circumstances had an allowance of 18^{d}/ per day for subsistance & attendance for one m^{o} from ye time of his Arrival in this Province.

Memoral to his exelency Govrner & Comander In Cheafe over New Hampshear &c — and to his maj^{es} Councell & the honerable house of Representitives — the homble Requst of Benj^{a} Thomas of portsm^{o} being Sorely wounded at Saint peters in the present Expedition against the french at Louisborge and am Sent home unable to helpe my Se fe and by providance my famely unable to helpe me with Sutable Support in my Low Estate and Corcomstances to aford me Such Releafe as in ye wisdom & goodness Shal think meet for the Cure of my wounds if God Shuld bless means thairfor & I Remain your Dutyfull Subject

Benj^{a} Thomas

Portsm^{o} June 21 : 1745

[3–138] [*Proclamation for the Enlistment of Seamen*, 1745.]

By His Excellency Benning Wentworth Esqr Captain General & Governor in Chief, in and over His Majestys Province of New Hampshire in New England —

A Proclamation.

Whereas the Hon^{bl} Peter Warren Esqr Commander in Chief of His Majestys Ships of War in the Expedition against Cape Breton, hath taken a french man of War of Sixty four guns called the Vigilant, which he purposes to put into Commission, & fit and man her for His Majestys Service in Said Expedition, but for want of a Sufficient Number of Seamen, he will not be able Effectually to Execute that Intention, without assistance of men from His Majestys Governments, the Incouragement Said Commodore gives for the Inlistment of Seamen is, that they shall be Intituled to pay from the day of their inlistment, & shall be discharged at Boston, at the End of the Expedition.

I have therefore tho't fit By & with the advice of His Majestys Council to Issue this Proclamation, for the Information of Such able bodyed Seamen, as may be disposed to Ingage in this Expedition for the Common good of their Country of the Incouragement offerd by Said Commodore Warren for that purpose as above mentioned, and allso that they will be Intituled to the Shares of all Such prizes, as will be taken dureing their Continuance in Said Service: Thereby allso notifying all Such persons, that Subscriptions of Inlistments will be taken by Thomas Packor Esqr High Sheriff of the Province of New Hampshire at Portsmouth, & they are desired to enter their names with him as Soon as may be

Given at the Council Chamber at Portsmouth the —— day of June 1745, in the 18th Year of our Soverign Lord George the Second, by the Grace of God, of Great Brittain France & Ireland King, defender of the faith &c

By His Excellencys Command B W
wth the Advice of His Majestys Council
T A S^{y}

Copy T A

God Save the King

Extract from Commodore Warren's Letter dated 22^{d} May 1745, relating To the Ship Vigilant —

She is a Bran new Ship and a very fine one and this her first Voyage I therefore propose to Commission her for the King my Master

Immediately and She with the Princess Mary will be a glorious Second To me in a Line of Battle; we Shatter'd her much in the Engagement but She has spare Stores enough to fit her out only difficulty will be men, therefore must beg you would press men and send them here and if any Voluntiers can be procured for her, both they and the men press'd shall be Entitled to King's pay from the time of their being press'd or enter'd As Voluntiers by you and all those that shall come as Voluntiers by Certificate under your hand shall if they desire it be discharg'd upon our arrival at Boston or when the Expedition is over; Her Complement Will be four hundred and Twenty men; you'll get as many as you can and with all possible expedition for much depends upon That —

True Copy T Atkinson Se^ry^

Extract from Commodore Warren's orders to the Captains of the Cruizers Employ'd in the Expedition

And whereas it is probable there may be some deserters from his Majestys Ships both in the private Ships of war and among the Troops Upon this Expedition that may be under the apprehensions of being Taken up by His Majestys officers, I therefore for their Encouragement To behave well upon this Expedition do assure them That none of them shall be molested or touched but on the Contrary if any of them that Happen to be under these Circumstances shall distinguish themselves and make it known to me I will use my utmost endeavours to have Their R — taken off in any ships they may have left in order to their Recovering their wages and will if they desire it promote them to Such offices in His Majesties Ships as they are Capable of executeing.

A true Copy.
Theod^r^ Atkinson Se^ry^

[See Vol. V., pp. 102–3. — Ed.]

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 230.]

Council Chamber June 17th 1745

Paragraph of his Excellency Governor Shirley's letter, upon his Excellencys complaining that the New Hampshire Regiment was put on Extraord^y^ duty, &c.

"I had not read your Excellencys favour by the Post, when I dispatch't my Express: I can't think Mr. Pepperell is capable of doing

injustice to the New Hampshire Regiment ; But I desire you would be pleas'd to let your people know, that if any thing of that kind has happen'd, I will be personally answerable for their good usage for the future, and shall send Express orders for that purpose to the General.

Hope you will not fail to obtain 300 men at least, instead of 100, I find my Assembly Exceedingly well inclin'd, and doubt not to inlarge the numbers voted here very much the Expence of the ammunition to be sent from hence, besides, will be very great. If you don't send at least 300 men, we shall fall very short of the necessary number in the Camp. I have a good prospect of a large number of seamen, besides the Troops we shall send " —

W. Shirley.

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 233.]

Boston, July 6, 1745.

Sir — Commodore Warren having desir'd me to send him a set of lower masts &c. for the Vigilant a 66 gun ship, and another set for a 40 gun ship, the Dimensions of both wch you will receive from Mr. Hallowell the ship builder, and wch can be got in your Governm^t^ only in due time for his Maj^tys^ service, wch requires the utmost dispatch, I would propose it to your Excellency, to impress (with the advice of his Maj^tys^ Council) such masts as are wanted for the abovemention'd service ; and after having caus'd 'em to be valued in due form to deliver 'em to some person to be sent round here forthwith, in order to be fitted and transported to the Commodore at Louisburg. Your Excellency, I am afraid must excuse my enlarging till next week, being in an infinite hurry. I am, wth the greatest respect

Your Exc^ys^ most obed^t^ Humble serv^t^

W. Shirley.

His Exc^y^ Govr Wentworth.

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 234.]

Boston July 10, 1745.

Sir, Yesterday I received your Exc^ys^ favour in answer to my Express, and am together with Commodore Warren much oblig'd to you for your care, and advice to ship the Masts ready made from Piscata-

qua to Louisburg directly, wch I think will be most for his Maj'ys service, and desire the continuance of your care in doing it accordingly.

I suppose Adams will stay for the Eltham, wch is hourly expected here to take the four mast ships lying in Nantasket under his Convoy: I was in hopes to have finished my dispatches for England to have gone by this Express to Adams, But hope I shall be able to reach him before he sails: They shall be finished by tomorrow when I will send 'em so as to reach Adams by Saturday night at farthest; and would favour me so far as to prevail upon him to stay 'till that time at least; For it is of Consequence they should reach the Secretary's Office — I believe in ab^t^ 12 days time or sooner you may have Convoy from hence for your three Company's, in raising wch I wish you good success and am wth great regard Sir

Your Excellency's most Ob^t^ Humble servant

W. Shirley

His Exc^y^ Govr Wentworth

[*Thomlinson to Atkinson.*]

[Belknap Papers, Vol. I., p. 135.]

London 5th Augt 1745

Sir I have not rece^d^ any of your fav^rs^ Since I wrote you, ℔ Capt Adams, Therefore I have here to Acqua^t^ you that as Govr Wentworth has not wrote latly to Mr Jones, I have not rec^d^ any Sallry of him for your Acc^t^ Or Can I Settle any thing with Mr Jones for Govr Wentworth or any of his Deputys Salerys, as I ought to do, without Govr Wentworth will Constantly write Me & the Navy-Board after Every quarterday, as both Mr Jones & My Self have wrote him, and by at least three Conveyancies — I think I have not had one Line from him Since Capt Adams last Voyage I can only add that I am very much

Sir Your most hum^l^ Ser^t^

John Thomlinson

Theod^r^ Atkinson Esqr

[*Lieutenant-Governor Phips to Governor Wentworth.*]

[Belknap Papers, Vol. II., p. 236.]

Boston, Aug^st^ 14, 1745

Sir — At the desire of his Majesty's Council & upon a Representation made by Lieutenant General Pepperell in his letter of the 6th Instant by a Vessel just arrived here, of the necessity of Recruits

for the Garrison at Louisburg & the danger of its falling into the Enemy's hands without them, I must earnestly request of your Excellency that you would promote the raising as many men in your Province as may be & that as soon as possible.

I shall do all in my power to have the number of Recruits Voted for by our Assembly, (which was one thousand & whereof about seven hundred are already gone) fully made up & sent forward without Delay.

By the Express Boat now arrived from Louisburg, we have certain Intelligence that besides the first India man taken by Commodore Warren's Squadron (of which we were advised the last Week) they have taken another India man richly laden & a South Seaman with £400,000 Sterling in money besides a valuable Cargo of Merchandise, all which were taken in sight of the Garrison; so that it is Judged the value of the Captures made on that coast by his Majesty's ships, is near one million sterling (if not more) which it is probable would never have fallen into our hands, if this Expedition had not been attempted I am, Sir

your Excellencys most obedient humble servant

Phips

His Excy Govr Wentworth

[*Phips to Wentworth.*]

[Belknap Papers, Vol. II., p. 237.]

Boston, Augst 19th 1745.

Sir — The State of affairs between this Government and the Eastern Indians being in such a situation as to make it necessary for the better security of his Majestys Subjects on the Frontiers exposed to their Fury, to declare War against them unless by their speedy Compliance with the Demands of the Government they should prevent it: I do now at the Desire of the General Court of this Province in their late Session, hereby inform your Excellency of our Proceedings with the said Indians in order to prevent a War, & the Unsuccessfulness thereof, as you will find by the indorsed Copy of a Letter from Govornour Shirley to the said Indians, & another Letter from him to Cpt. Bradbury commander of the Fort at St. George's River, directing him to demand Satisfaction of them for the murthers committed upon our Inhabitants by some of their People (joining with the other Indians) & their burning their Houses, killing their Cattle, &c. with Capt. Bradbury's answer to the last mentioned Letter.

And as the common cause requires the mutual Assistance of these Governments in time of War & Danger, We Desire the Concurrence

& Assistance of your Government for prosecuting a War against these Indians, when it shall be declared, and furnishing a Quota of men for the Defence of the Frontiers in this & the other exposed Colonies. I am, Sir,

Your Excellency's most obedient Humble servant

Phips.

His Excellency Benning Wentworth, Esq.

[*Shirley to Captain Bradbury.*]

[Belknap Papers, Vol. II., p. 239.]

Boston, July 22d 1745.

Sir — I have recd your Letter of the 16th Instant July giving me an account of the Assault committed by the Indians upon your Fort and other places near you Mr. Miliken tells me you are positive that you saw some of the Penobscutt Indians among the Assailants & particularly that you saw one of those that had been in under pretence of Friendship to inform you of these Designs By your letter you seem to apprehend that the Penobscutt Indians are generally in these acts of hostility. However I think it will be best that if an of the said Penobscutt Tribe shall appear near the Fort that you hoist a Flag of Truce to call them in to an Interview with you and if you can obtain any Speech with them, I would have you read my Letter to 'em which I sent by Mr. Miliken and also tell them that I am Inform'd of their violation of Treaty and that if the Body of the Penobscutts are Engaged with our Enemies, I shall immediately declare War and pursue them with all the Resentment which so horrid an act of Treachery and wickedness deserves; but if they profess that the Body of the Tribe are against these proceedings and are disposed to peace, I expect And insist upon this proof of their sincerity, that they deliver up those of their people as have been in arms against us & have joined with the party of Indians who have assaulted us, & that you will give them the space of seven days only for their either delivering up the murtherers or giving five Hostages of some of their principal men to secure the Delivery of the said Indians in the space of seven days more.

I am, Sir, your Friend & servant

W. Shirley.

P. S. Give me a full account of these affairs with all possible Dispatch.

To Capt. Jabez Bradbury.

Copy Examd pr. J. Willard, Sec'y.

[3–140] [*George Creighton's Leave of Absence.*]

Louisbourg Septr 3^{d} 1745

Mr George Creighton

As You have been Chosen by the Remaining Part of that Company to which you Belong to Return to New England, in order to Procure & take Care of Such things as their friends may See fit to Send them, You have hereby Leave of absence to Return as aforesaid & when you have Done that Business, (in which you are to use Dispatch) proceed to this place by the first Convenient oppertunity to your Duty

Saml Moore

[3–141]

[*Committee to Examine the Accounts of the Ship Bien Aimé,* 1745.]

Province of New Hampshire } By his Excelency the Governour

To Richard Wibird, John Moffat & Joshua Peirce Esq^{rs}

Seal Greeting.

I Desire & Appoint you to Examine the Accounts of Slops & Stores Supplyd and work done for his Majesties Ship Bien Aimé Captain Richard ffarish Commander & to See that the Charge thereof be Equal & reasonable According to the Usual rates & Prizes paid here for the Like and alsoe to Consider of the Present Course of Exchange between the Currency of this Province & the money of Great Brittain and make A report to me what Exchange you Judge Proper & Equal upon the Bills to be Drawn upon the Comissioners of His Maj^{tys} Navy —

Given under my hand & Seal at Portsmouth the 5th Day of September 1745 & in the nineteenth year of his Maj^{tys} reigne

B Wentworth

[Committee's Report.]

Pursuant To your Excell^{ys} order of The fifth Instant we have Examined & seen The Charge of The several Merchants & Tradesmen that have supplyed His Majestys Ship Bien Aimé with Necessarys and For work done, and have Endorsed on Each Bill so much as we allow Equal & reasonable amounting to ye Sum of Six Hundred thirty Seven pounds Six Shillings of The old Tenor; And That Six Hundred pounds of The said Currancy for one Hundred pounds Sterling

is a proper & an Equal Exchange For Bills to be drawn on The Honble The Commissioners of his Majestys Navy For The same.

Given under our Hands in portsmouth New Hampshire This 7 September 1745.

R Wibird
John Moffatt
Josh^a Peirce

[The foregoing is from the original, on which is a fine impression of the seal in wax. — ED.]

[3–142] [*Report of the Committee on Louisbourg Prisoners.*]

The Accompt of Richard Wibird Samuel Solly Thomas Bell & Henry Sherburne Junr a Committee Appointed by the Genneral Assembly to take Care & Provide for the Transportation of the French People brought hither from Louisbourg agreeable to Articles of Capitulation, being 72 in Number —

1745 The said Com^tee Charge themselves with the following Sums rec^d vizt

rec^d from the Treasurer by Warrant from the Governor		1400 —
rec^d from ditto ℔ ditto		543 —
rec^d from the Com^tee of War 1 pair Stilliards	1,, 15 —	
17 hhds 13 Teirces & 15 Barrells .	49,, 15 —	
1 Ax	1 —	
1 Cabboose with 2 potts . . .	12 —	
	————	64. 10 —
		£2007: 10 —

The said Com^tee Discharge themselves from the aforesaid Sums in the following manner vizt —

paid Sundry Persons as ℔ Acco^t for Supporting & Transporting the s^d Prisoners Sent home to the Commission^s		1316 — 2
paid the Owner of the Sloop Speedwell towards the hire of the said Sloop for a Transport	556: 13: 1	
paid Advance waiges to the men belonging to said Sloop	134 —	
	————	690: 13: 1
		£2006: 13: 3

Portsmouth New Hampsh^{r} Septr 27th 1745
Errors Excepted

R Wibird
Saml Solly
Hen Sherburne Jr
Thos Bell

Prov^{e} of New Hampshire } In the House of Representatives 4th Decr 1747

Voted That ye within Account be allow'd & that ye within mention'd Committee be discharged from ye Several Sums therein Contain'd

D Peirce Clk

In Council December 11 1747 read & Concurrd

Theodore Atkinson Se^{ry}

11th Decr 1747 Consented to

B Wentworth

[See Vol. V., p. 550. — Ed.]

[3–143]

The Accompt of Richard Wibird, Samuel Solly, Thomas Bell, & Henry Sherburne Junr a Committee Appointed to take Care of & Provide for the Transportation of Seventy French Prisoners brought hither from Louisbourg to be Transported to France Agreable to the Articles of Capitulation —

For their Support on Shoar vizt

paid Thomas Bell Esqr his Acco^{t}	69 :	19	—
paid Richard Wibird Esq d^{o}	101 :	15 :	11
paid Doct^{r} Ross	10 :	2	—
paid Doct^{r} Rogers for Medicines & Attendance	6 :	7 :	6
paid Meshech Bell Interpreter	36	—	—
paid Atkins Kennard Truck^{g}	2	—	—
paid George Massey ditto	2	—	—
paid Edward Pendexter d^{o}	5 :	11	—
paid Ebenezer Wentworth	5	—	—
paid Joseph Moses	— :	13	—
paid Widdow Greely house rent	12 .	10	—
paid Mark H Wentworth	5 :	5	
	257 :	3 :	5

Disburstments Provisions & Stores for the Voyage —

paid Richard Wibird Esq his Acco^{t}	141 :	6 :	9
paid Thomas Bell Esq	45 :	5 :	4

paid Henry Sherburne Junr	48	19	9
paid Mrs Wheelwright Cooper	40	—	—
paid Tobias Langdon	11	10	—
paid Daniel Warner for 1 doz Bowls	1	10	—
paid Samuel Waters	64	19,	4
paid Charles Gorwood 9 water hhds.	13	10	—
paid John Seaward	3	5	—
paid William Caverly	—	15	—
paid John Bradford 3 water hhds	4	10	—
paid Robt Hart for Cutts up Beef	2	8	—
paid Nathl Mendum 3 water hhds	4	10	—
paid James Ahern 12½ days	7	10	—
paid Oliver Tucker 12½ days	7	10	—
paid Henry Tucker 7 do	3	10	—
paid for 1 pair Stilliards	1	15	—
paid for 17 hhds 13 Teirces & 15 barrels for water Cask	49	15	—
paid George Libbey	6	—	—
paid for 1 Ax	1	—	—
paid John Penhallow	2	—	—
paid Nathl Marshall	2	14	—
paid Abraham Senter	4	16	—
paid Thomas Harts Bill	5	15	—
paid John Griffeth for Candles	10	15	10
paid for Beef	105	18	9
paid for 10 barrels Pork	160	—	—
paid for Bread ℔ Acct	181	4	—
paid John Stoodly	6	4	—
paid the Committee for their Trouble & Expences	105	—	—
paid Mrs Slayton	3	—	—
paid for 2 Iron Pots	4	—	—
paid for a Large Cabboose Iron Bars &c	8	—	—
	£1316	—	2
which is Sterling money at 500 ℔ Ct disct	£219	6	8
for the hire of the Sloop Speedwell Marriners &c to Carry Prisoners to France	241	—	—
for an Interpreter to go with them	15	—	—
	£475	6	8

Portsmouth, New Hampshire New England September ye 9th 1745
Errors Excepted by Order of the Committee
R Wibird Chair Man

Province of }
New Hampsh^{r} } The Honble Richard Wibird Esq Chairman of the Com^{tee} Appointed by the Government, to make provision for Transporting the Prisoners of Capitulation to Old France, Personally appeard, before me, & made Oath, that the Respective Sums Charged in the within Acco^{t} were for the said Service, & that they are Just & Equal, & According to the Usage & Custom paid by Merchants in this place —

Portsmouth Septem^{r} ye 11th 1745

[3–144]

[*Statement of the Condition of the Men at Louisbourg*, 1745.]

To His Excellency the Governor, the Honorable the Council, and House of Representatives, of His Majesties Province of New Hampshire. —

As we are refer'd to, in the preceeding Memorial, to give further Information, touching the State of our Soldiers; and authorized thereby, to Sollicit the Honorable Court in their behalf; we humbly crave Leave, to offer this, as a Supplement thereto. —

Besides the almost Naked Condition of those of our Troops, who went first to Cape Breton; Some of them are So enfeebled, by reason of the Length and Hardships of the Siege, & for want of necessary Comforts, in the Time of it, as renders them unfit for further Service, till Recruited; others are Languishing under Sicknesses, of Various kinds, and most of them, are overrun with Lice, for want of Change of Apparel, which renders their Case still more uncomfortable, Whereupon, we humbly recommend, those Poor but brave men, to your Excellency's & Honour's wise, Just, and Compassionate Consideration, Earnestly beseeching, that Such of them as desire it, may be immediatly dismiss'd, and bro't back to their Native Country, their Families, & Friends; that it may never be Said, they bravely fought themselves into a Prison; for, what Else can be Said of it If they are Compell'd to tarry, after the Expedition is Ended, as we apprehend it is, and that in a most Compleat and effectual Manner: For that, His Excellencys Proclamation of the 2 of February Last, proposed an Expedition, for the Reduction of the French Settlements, on the Island of Cape Breton, & not for the garrisoning of them; and the Enlistment, was in Consequence thereof, (namely,) for Reducing, & not for garrisoning, and we humbly appeal, to your Excellency's & Honors Judgment, whether, reducing and garrisoning, be not two things, quite different, and Distinct from each other; and if so,

whether the Troops of the first Embarkation, mayn't demand a discharge, as a Right and Justice due to them, instead of Solliciting for it, as an Act of Grace. But, on the other hand, if it Should be Said, that by the Expedition was meant and intended, that Louisbourg Should be garrison'd (in case of Success,) by those who should reduce it; It may be Answer'd, that Such Intention, cant Rationally be Extended further, than till other Troops, might be rais'd to relieve them; and more than three Months, is already Pass'd, Since the Surrender; a Space doubly Sufficient for that Purpose. —

We take Leave further to Propose, that in Consideration, the Plunder (which was expected would be great,) turns out, to be but a very Triffle, they May have an additional Grant of Bounty, as a further Reward, of their Toil, Hazard, and Bravery, as the Massachusetts Troops have already had. —

As to those, whose Lot may be to tarry over the Winter, Whether by Choice, or Compulsion, (if any Should be Compell'd so to Do,) We humbly propose, that besides an Augmentation of their Wages, and a Grant of Apparell, and Bedding, Suitable for the Climate and Season; they May have an Augmentation of their allowance of Rum & Molasses, to half a Pint of Each, for Each Man ℔ Day, and a Couple of Quarts of Small Beer also, the Waters there, being exceeding bad, and very unwholesome to Drink; that there may be a Surplus of Stores, of all kinds, to be Purchased of the Commissary, at a Stated Price, and that there may be a Provision of Physic, as well as of Food & Cloathing; and that Each Capt may have a Copy, of the Invoices of the Stores & Cloaths Sent for the Soldiers, with the Prices of those Commodities, that may be Sent for Sale; that the Care, the Justice, & the goodness of the Honorable Court, may be made known to every individual Man. —

As the Season of the year is far advanced, and the Soldiers greatly distress'd; Some For Want of a Discharge, and other for want of Necessarys and Conveniencies, to make their Lives Comfortable, We humbly Pray, that what we have offered, may have the earliest Consideration & Dispatch, that is Possible.

And your Memorialists as in Duty bound Shall Ever Pray

T W Waldron
Portsmouth Sep^{t} 24 1745 Jonathan Prescut

[3–145] [*List of Greenland Impressed Men.*]

Provance of Newhampshare } greenland September the 30 Da 1745 by his Exelency Mr Benning Wentworth order I

Prest twenty men that belonged to my troop to onlode the store ship but there was but Eighteen went and they say they did three Days work. John Brackett Capt

thomas Runals	nathan maston
Joseph Nelson	Joseph melun
John weeks	walker Lear
Samuell weeks	Samuell Cate
william hunt	John Dam
Samuell Bruster	nathaniel Shirborn
thomas arees	Joseph weekes
william Chase	and John Avery who
John wiggin	they Chose to Reseve
nathaniel Brackett	their wages

18 Troopers 2 Days each at 3/ is — 5 — 8 —

Province of N–Hampsh^{e} } Sep^{r} — 30th — 1745 — Sworn to before ye House by John Avery

D Peirce Clk

Province of N Hampsh^{e} } In the House of Representatives Sepr 30th 1745 —

Voted — That there be allow'd five Pounds Eight Shill's for ye within mention'd Service Viz^{t} fifty eight Shillings to ye Troopers & fifty Shillings to Mrs Batson for Diet to be paid out of ye money in ye Publick Treasury for ye Defence of ye Government —

D Peirce Clk

In Council Octo^{br} 1 1745 read & Concurrd

Theod^{r} Atkinson Se^{ry}

Eod^{m} Die Assented to B Wentworth

[See Vol. V., p. 379. — Ed.]

[3–147] [*Petition of Benjamin Lewis, Louisbourg Soldier.*]

To His Excellency Benning Wentworth Esqr — Governour and Commander in Chief in and over his Majestys Province of New Hampshire — To the Honorable his Majestys Council for said Province and House of Representatives in General assembly Convened

Humbly Shews Benjamin Lewis of Portsmouth in the Province of New Hamp^{r} That he hath been in the Service of his King and Country in the Expedition for the Reduction of Louisbourg in Coll : Sam^{ll}

Moores Regiment That he arrived here about five weeks since, That he was sick for a fortnight before his arrival and hath continued so to this time, That the wife of your Petitioner is now also sick — y^t your Petitioner hath four Children Small & not able to help themselves — That your Petitioner, hath nothing for the Supporting of himself or family nor for paying the Doctors Bill and that without some Relief he must unavoidably suffer — Wherefore your Petitioner (In Forma Pauperis) Prays Your Excellency and Honours to Grant him such Relief as in your Great Goodness shall seem meet and reasonable & your Petitioner as in duty bound shall ever pray &c

Octr 1st 1745 benjaman lewes

Province of } N Hampsh^e } In the House of Representatives Jan^r 3^d 1745

Voted — That there be allow'd to ye within mention'd Benj^a Lewis ye Sum of four Pounds in Answer to ye Prayer of ye within Petition to be paid out of ye Money in ye Treasury for ye Use of ye Expedition against Louisbourg — D Peirce Clk

Jan^ry 4th 1745 In Council read & Concurrd

Theod Atkinson Se^ry

Eod^m Die Assented to B Wentworth

[He was allowed £4. January 3, 1746. — Ed.]

[3–148] [*Robert Tufton Philbrook's Account*, 1745.]

Provnce of new hamsher. Endeted to Robrt Tufton Philbrock for mendeing gons for this Expditon march 1745

to mend a gon Sent by Cop harua [Harvey] . .	0 – 3 – 6
to mend & Clean 2 gons Sent by Cap Tufton . .	0 –13 – 9
to mend & Clean & harden the locke of 7 gons . .	1 –13 – 0
to mend & Clean 2 gons Sent by Cap harua . .	0 – 6 – 0
	2 –16 – 3

the fowiling percons whoos names are Ende^td to Robrt Tufton philbrock for mening of gons in the Cost of the Compny Cap whidens men —

danel allen . .	0 – 5 – 6	James maston .	0 – 2 – 6
Sergnt Shaw .	0 – 2 – 6	Jonthn maston .	0 – 2 – 6
John dunken .	0 – 4 – 6	Jam mouton .	0 – 2 – 6

giden hurel . .	0 – 2 – 6	John adskon .	0 – 2 – 6
John pain . .	0 – 5 – 6	John dunkin .	0 – 2 – 6
Joseph Rodman .	0 – 4 – 6	ben kenston .	0 – 2 – 6
Jose Rolens . .	0 – 6 – 9	Joseph peava .	0 – 2 – 6
Jonthn Slepr .	0 – 2 – 0	John pery . .	0 – 2 – 6
godfry .	0 – 8 – 6	Sam Row . .	0 – 2 – 6
ben dorton . .	0 – 2 – 6	Jabe Shaw . .	0 – 3 – 6
whitom .	0 – 2 – 6	abraham benet .	0 – 3 – 6
Cor more . .	0 –12 – 9	Eben Samborn .	0 – 3 – 6
2 gons by Sleper		willam Cucknet .	0 – 3 – 0
for the Cor .	0 –14 – 6		6 – 5 – 0
another gon for the Cor . . .	0 – 2 – 6		

to 3 hole days for the Servic of fleet after the above work was don . . . . . 1 –10 – 0

Rob Tufton philbrock
Samuel more

Province of
N Hampsh^e } In the House of Representatives Octo^r 2^d 1745

Voted That Robt Tufton Philbrick be allow'd Two Pounds Ten Shillings & three farthings in full for his Accts for Mending ye Volunteers Guns &c to be p^d out of ye Money in ye publick Treasury for ye use of ye Expedition ag^t Louisbourg — D Peirce Clk

In Council Eod^m Die read & Concurrd
Theodore Atkinson Se^ry

Eod^m Die Assented to B Wentworth

[See Vol. V., p. 381. — Ed.]

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 136.]

Portsm^o Nov: 13 1746 —

S^r — Capt Jos Sherburne who Incloses this together with Admiral Warrens & Genl Pepperrells Certificate of his good behaviour while at the Seige & in the City of Louisbourg hopeing your friendship may obtain him some reward for his Eminant service don he has desired me to mention to you that it would be gratefull to every body here could he obtain a recompence from the ordnance &c he Intended to goe for England but being so usefull a man is Detained here on the

Canada Expedition as Comander of one of the armed Vessells & is now bound to Annapolis to the assistance of that Garrison with a Compª of Canada Soldiers fitted out by this Governmt I hope the admiral will be at home he will easily get something I know he will assist him as he knows how advantagious his services were

I am Sr Yours

D — d Capt Sherburne

[Under same date]

Sir — I am now to acknowledge the rect of your favour of the by Adams, who is now at Boston, Capt. Gayton & the other mast Ships not yet arrived, nor is Phillip Read. I hope she mist the Breast Squadron on their return.

I wrote you via Boston & Inclosed my Diary to Lady Day Last which fear is gone to france Shall soon Draw them out again & forward them Inclosed you have a memorandum how the Silk gowns left with you by Capt Adams last voyage are to be managed the owner desires you would order them when Prepared In any Vessell you think best to this Country

I have long since thot my writing you on Publick affairs or the situation of our Provincial affairs would be rather troublesome or at least quite unnecessary, but your complaining for want of Intelligence Occasions you this. As to the reimbursement of the charge for reduceing Louisbourg (Petitioned for) now under the guidance of your solicitation, 'twas utterly Impossible any regular acct of that Expence could be forwarded to London at the time when you say the other Governmts were ready with all the proper vouchers, it being late this Summer before our Troops returned or many of our Transports were dismist. I know the other Governmts were in the same situation. The Committee are now finishing those Accts & you will have them properly vouched Whatever came before from any Governmt must be either partial or lumped or guest at. I hope the Province will meet with better fortune in the repayment of the Expence than the brave men did in the Distribution of the Commissions. As to the Canada Expedition — with us it stands thus — on the 9th of April last his Grace the Duke of New Castle writs the Govr of his Majesties Gracious Intentions in carrying on such an Expedition, this Letter reached us the beginning of June, the Assembly not being then setting the Govr imediately convened them & in his Speech opened the whole affair. The Assembly Imediately voted the raising of 1000 men or more if they could be raised by the last of August with a bounty to each effective man of £30 currency & a blanket, and a Committee appointed to take up Transports & provide Provisions, beating orders were soon given out & about 800 men were ready for

Embarking early in July & I am fully persuaded that the number might have been made up 1000, at any time in three days after. Thus the men with Transports & Provision were all ready & very impatiently waited till about the 10 of September when we had the news of the Brest Squadron being off Jabucto * a harbor on the Cape Sable shoar, — this you must Imagine Put us into the greatest hurry expecting a Discent every moment, We imediately employed every body in building Batterys at the Great Island & in a few days got a new battery from the Castle to the Sandy Cove to the westward of 16, 24 & 32 p^{rs} these batterys will play upon any vessell a mile & half before she comes to the Castle which is alsoe now in good order, the guns all mounted on good Platforms. In this state of fear & uncertainty we remained till about 25th of October when sundry prisoners taken by the Fleet were set at liberty, 2 or three days after the fleet sail'd from Jabucta, these people gave an acc^{t} of the Duke Dinivels [?] pois'ing himself & that the 2^{s} in command afterwards stab'd himself — but was not dead as they understood but never appeared after — that they gave out they were bound to Annapolis Royal & after reducing that would winter at Casco bay & early in the Spring destroy all New England. That the army & fleet were very sickly having burryed 2000 in their Passage & 1800 at Jabucta, that they had 4000 sick on board the Fleet when they sail'd from that harbour. Upon this news we got ready our armed vessels & Imbarked about 175 but we had advice in 2 or 3 days that the fleet separated in a storm & all went off this coast except 2 a 60 & 36 gun ships who not meeting the Admiral after the Storm went to Annapolis where the Chester, Capt. Spry & Capt. Rowse & A small vessell lay, who upon their approach endeavouring to obstruct their entry ran on shoar & before she could get a float again the French made their Escape but were pursued by the Chester but too late to come up with them, the next day the Pilots the French took in at Jabucta were sent to Menis with a Letter to the Commander of ye Canadeans &c. that had been then some time before Annapolis acquainting that they were gon off & upon this intelligence the French decamped & went off to Menis, thus you have the history of the Brest Squadron who had they been followed by one third of Admiral Martin's Squadron would have demolished the whole fleet they being in a most Dismal condition. They lost on 60 gun ship foundred in the passage, one other lost on the Isle of Sable & a 50 gunship condemned & burnt at Jabucta. The others when our Prisoners left them were in a most distrest condition they taking most of the marriners out of the Transports to man the men of War, so that the much questioned weither

* Chebucto.

they would be able to reach France & now Pray let me aske you what is become of the Canada Expedition 'tis now the middle of November, we have not had one line from the ministry since the first letter of the 9th of April last, we have in the 4 New England govmts now actually waiting near 5000 men. Perhaps 12 or 15 hundred will be imployed at Annapolis Royal. Possibly the remainder may be imployed agst Crown Point in conjunction with the men raised in the southern Colonies. I wish they may be successful, but am not very sanguine, the distance the Canon & mortars with proper utensils for Intrenching must be Transported over an uninhabited country — so great a distance together with all ye Provisions &c. I fear will be attended with too much Difficulty in a winter season. If we in this Province do not Joyn this attack we shall I believe be imployed in searching & cutting a road from hence directly to Canada river which may better be don at this season than any. I am still hoping Capt. Gaiton (1) may bring us some Instructions in relation to the Expedition, otherways our Situation will be but very indifferent. We are now at such a charge as makes all wild. I begin to repent I ever Ingaged in the Expedition, but every thing is now at stake having promised the [men] that I would goe with them before they inlisted, neither would any enter till my name was put into the Inlistments & they are all thus inlisted. 'tis impossible to Imagine the fatigue I have had with those people — not one commission officer & still 800 men to be governed without any real authority or Power of punishing such as deserved, besides the very great expense that has attended this service that this state of inactivity has put me quite out of patience as well as out at heals, 'tis true the Assembly made very generous offers if I would engage in the Expedition & I believe would have done every thing for my Honr & Comfort, but unless it is in my Power to render them some service, I can hardly Expect any recompense for my Time, Expence, & trouble. — gave an accot of our purchasing Mason's right, &c.

[Endorsed] — Copy to Capt.
Thomlinson, Nov. 13. 1746.
pr. Admiral Warren.

[3–150] [*Petition from Louisbourg Soldiers*, 1745.]

To His Excellency Benning Wentworth Esqr Captain General, & Governor In Chief, In & over His Majesties Province of New-Hampshire, To the Honorable the Council, and General Assembly, of the Said Province, In General Court Convened.

(1) This name is doubtful — perhaps Gaston or Gaiton.

The Petition of Sundry Soldiers, of the New Hampshire Regiment, in the Expedition against Cape Breton, Humbly Sheweth,

That we were Part of the Number of Voluntiers, who undertook the Storm of the Island Battery ; That we were taken Prisoners, and continued so twenty one Days ; That we Lost with our Liberty our Arms, and a Part of our Cloaths ; and that, instead, of having an additional Reward, for our Services and Sufferings, in that hazardous & desperate Attack, a considerable Part, of our Pittance of Wages, has been hitherto withheld from Us to Pay for the Lost Guns ; That we have been Sufferers in another Respect also, Viz^{t} by Short Allowance, the Account of which, is Contained in a Schedule hereto annexed, together, with the Account of our Losses, in the aforesaid Storm.

We therefore, humbly take Leave to Recommend to your Excellency's and Honour's Wise, and Paternal Consideration, our unfortunate Case, praying, that you will be Pleased, in your great Goodness, to order the Guns we Lost to be Paid for, out of the Treasury ; and that we may Recieve our full Wages ; Also, that we may be Paid, for the other Losses we Sustained, In the aforesaid Storm, and May have Some gratuity Likewise, for the extraordinary Risking of our Lives in that bold Attack ; and that we may have a Grant of Pinch-Mony for our Short Allowance, with Such Augmentation, as may in Some Measure Compensate us, for our Sufferings, by want thereof, in the Proper Place & Season ; or that your Excellency and Honors will be Pleased to do for us, in any other way and manner, as may be most consistant with your Wisdom & Justice. And your Petitioners Shall ever Pray as in Duty bound

Waymouth ham	Timothy Cotton
John Allcock	Joseph ham
Sam^{ll} ffrost	Leader Nelson

In Council Nov 28th 1745
read & ord^{d} to be Sent to the House

Theod^{r} Atkinson Se^{ry}

In Council May 7th 1746
read & ordered to be Sent to the Honble House

Theodore Atkinson Se^{ry}

alow^{d} To the within Pet^{rs}

Waimouth Ham	2– 5– 6	Samuel frost	8– 0
Timothy Cotton	1– 14– 0	Leader Nelson	1– 9– 6
John alcock	18– 0	Shadrack Wamouth	1– 3– 7½
Joseph Ham	14– 9		

[3–151] [*Louisbourg Soldiers' Petition*, 1745.]

To His Excellency Benning Wentworth Esqr Governor & Commander in Chief in & over His Majesty's Province of New Hampshire the Honble His Majesty's Council & House of Representa^{s} for said Province in General Assembly Convened Novr 23rd 1745

The Humble Petition of Sundry of the Soldiers in the Late Expedition against Louisbourg Shews —

That your Petitioners were before or Soon after their Return from the said Expedition taken Sick of the Fever in which they Lay a Considerable time under the Care of the Late Doct^{r} Rogers & by the Blessing of God on his Administrations were Recoverd to Health —

That the said Sickness being very Grievous was attended with great Expence besides the Doctors Bill which Considering his Application your Petitioners think cant be Small tho' they know not what it is & as they were then in the said Service (not being dismis'd) and as the said Sickness was Probably bro't upon them by that Service at Least made worse in it Self & worse for them to bear They most Humbly Pray that an Allowance may be made them to defray the Expence of the Said Sickness & to Alleviate their Sufferings & the Burthens bro't upon their families by their Ingaging in the Said Service and Yo^{r} Petitioners as in duty Bound Shall ever Pray &c —

John Deverson
Waymouth ham
Joseph Ham

John Walden
Edward Pendexter Junr

Province of N Hampsh^{e} } In the House of Representatives Jan^{r} 4th 1745 Voted — That there be allow'd to John Deverson ten Pound & to John Walden Weymouth Ham Edward Pendexter jun^{r} & Joseph Ham each four Pounds in Consideration of their Sickness & Loss of Time, to be p^{d} out of ye money in The Treasury for ye Use of ye Expedition against Louisbourg.

D Peirce Clk

Eod^{m} Die read in Council & Concurrd

Theod^{r} Atkinson Se^{ry}

Eod^{m} Die Assented to

B Wentworth.

Warr^{t} 6 Jan^{ry} 1745

[3–152] [*Joseph Sleeper's Petition, Louisbourg*, 1745.]

November 25th 1745 —

To the most honrable Comitty of the Ginarell Cort of New hamshier I have sarved the provins from the 13 day of febreuary to 22th of september Eight months and thre days and my demand I think is sixty five pound I beg your honrs would Consider me as I was left with care over the companey for Captn Lad was confined and his companey taken from him and comitd to my care by the cort marshell Ever sins 27th of July I leve these things with your onrs considrashon for whome I shall Ever pray your humbl sevrent

Joseph Sleeper

In Council May 7th 1746 — read & Sent to the House

Theodr Atkinson Sery

[3–153] [*Soldiers' Losses at Louisbourg.*]

Portsmouth Nov 26 1746

Memo of what I the Subscriber Lost at the attack of the Island Battery the 26 of May last Viz

a Gun Valued at 35/ a Sword 12/6 a Cartouch box 3/ a Great Coat Made of Duffels abt one year old, 30/ £4,, –,, 6

Province of N Hampr Dr To Waymouth Ham. back Allowance To 46 Days of Peas to 40 Days of Rum & to 13 Days of Pork

Errors Excepted ℔ Waymouth ham

Memo of What I the Subscriber Lost in Manner as above

A Gun which I bo't of Mr Mark H Wentworth, & for which I gave him 75/ a Pistol which Cost Colo Meserve 30/ a Cartouch box 3/ a Knife 1/ £5,, 9,,

Province of N Hampr Dr To Timothy Cotton

To 35 Days of Rum

Errors Excepted ℔ Timothy Cotton

Memo of What I the Subscriber Lost in Manner as above

A Gun Value 40/ Cartouch box 3/ a Sword 15/ — £2,, 18,, –

Prov N Hampr Dr to Jno Allcock

To 40 Days of Rum ten Days Peas

Errors Excepted ℔ John Allcock

Memo of what I the Subscriber Lost In Manner aforesaid

A Gun one of Prescuts Arms Commonly So Calld Value 75/ a Sword 7/6 a Cartouch box 3/ pair Mittens 1/6 a Pair buckels 1/9 a knife 1/ £4,, 9,, 9

Province of N Hamp^{r} D^{r} to Joseph Ham
To 40 Days Rum 9 days Pork 18 days Peas
Errors Excepted ℔ Joseph Ham

Memo of what I the Subscriber Lost In Manner aforesaid

A Gun 35/ a Cartouchbox 3/ a Hatchet 3/ a knapsack 2/6 £2,, 3,, 6

Pro of N Hamp^{r} D^{r} To Saml Frost
To 46 Days Peas 40 Days Rum 16 Days Bread & 13 Days Pork
Errors Excepted ℔ Sam^{ll} Ffrost

Memo of what I the Subscriber Lost In Manner aforesaid

A Gun Value 75/ a Sword 12/6 a Knapsack 2/6 a Cartouch-box 3/ two Powder Horns 2/ a pair of Stockings 3/9 a Shirt Cotten New 11/3 Hat 3/9 a knife /9

Pro of N Hamp^{r} D^{r} To Leader Nelson
To 35 Days Rum
Errors Excepted ℔ Leader Nelson

Province of N Hamp^{r} } Nov 26 1745 then Waymouth Ham Timothy Cotten John Allcock Joseph Ham Saml Ffrost & Leader Nelson Personally Appeard & Made oath to the truth of their Annexed account to the forgoing Petition both with relative to what they Lost at the Storm of the Island Battery & their Short Allowance

Coram Sa..^{l} Hart Jus^{t} peace

Portsmouth November 24th 1745

An Account of what I the Subscriber Lost at the attack of the Island Battery at Louisbourg the 26th of may 1745 Time I was Taken Prisoner

to one Gun Prised at	£10 – 0 – 0
Powder horne 2/ [illegible] 12/	0 –14 – 0
one hatich 10/ 1 pocket Book 3/	0 –13 – 0
one Knife 3/6 1 pr mittens 4/	0 – 7 – 6
to 1 pr silver Bouckels	3 – 0 – 0
	£14 –14 – 6

Province of Newhampsher Dr To Back alowince Which is Due
to 46 Days of pees 40 Days of Rum
to 16 Days of Bread 13 Days of poork

Errors Accepted By Shadrach Wamouth

Province of New Hamps } November 25th 1745 then Shadrach Wamouth appeared and Made oath that the within is a Just and true acco[t] of what he Lost as Set forth and what is behind of his allowance

Coram Sam[l] Hart Jus[t] peace

[3–154] [*Petition of Edward Card, Louisbourg Soldier.*]

To His Excellency Benning Wentworth Esq[r] Captain General & Commander in Chief in & over His Majestys Province of New Hampshire The Hon[ble] His Majesty's Council & House of Representatives for said Province in General Assembly Convened the 17th Day of Decemb[r] 1745 —

The Humble Petition of Edward Card of New Castle in said Province Mariner Shews

That Your Petitioner went in the late Expedition against Louisbourg as a Mariner under Cap[t] Furnald, in which station your Petitioner faithfully discharg'd his Duty during the time he continued therein — That after the forces were Landed when Cap[t] Brooks had the Command of a Battery (called after his Name) given him by the General, with a Liberty of Chusing his Second, he made Choice of Your Petitioner, who accordingly quitted his duty on Board the Vessel for that which was more difficult, attended with more hardship, as well as more Danger —

That Your Petitioner Continued in this Station until Call'd & Order'd to leave it & go as a Gunner to Cap[t] Mason, who had the Command of the Light House Battery, where your Petitioner Discharged the Duty of that Post, during the Remaining part of the Siege —

Besides which Dangerous Services, Your Petitioner was with the Said Cap[t] Brooks in the front of the Attack upon the Island Battery, where they (with others) fought about four hours, in the most Imminent Danger, that can be Conceived tho' by the Peculiar protection & Safe gard of Heaven Your Petitioner met with no Personal Harm, which Enterprise tho it faild of the Desird Effect, yet answer'd a very valuable End in disheartening the Enemy by the Boldness & Intrepidity of our Soldiers. from all which Extraordinary Service

Your Petitioner Humbly Conceives he justly Merits a more ample Reward than the Pay of a Private Mariner and therefore Prays that he may be allowd the Pay of a Gunner as he did the Duty & underwent the Danger & Hardship of that Office, & that he may Receive such farther Recompence as in Your Wisdom & Goodness you shall judge such Arduous & Dangerous Services justly Claim. & Your Petitioner as in duty Bound Shall Ever Pray &c —

Edward Card

In Council December 20th 1845 read & recommended

Theodr Atkinson Sery

To His Excellency Benning Wentworth Esqr Capt Genll Governor & Commander in Chief in & over His Majestys Province of New Hampshire The Honble His Majesty's Council & House of Representatives for Said Province in General Assembly Convened —

May it Please Your Excellency & The Honble The other Branches of the Legislature —

Having Read the Annexed Petition & as we are well knowing of the facts therein Related (so far as they Regard the Petitioner) at his Request we do hereby Certify the truth thereof, & if called are Ready to give a Particular account of the Same

Witness our hands the 17th Day of Decembr 1745 —

Nathaniel Meserve	Ezekiel Pitman
John Furnell	Thomas Pickerin
William Seaward	Abram Trefethen
John Hart	

[He was allowed £4. extra for services as gunner, and £1. 18. for gun and cartridge-box. — Ed.]

[3–155]

[This document is a petition of William Fullerton, of Exeter, who states that he was in the Cape Breton expedition; was discharged by Major Ezekiel Gilman, and returned home with Captain "Branscomb." He was sick and under the care of Doctor Dudley Odlin, whose bill he wanted the Province to pay. — Ed.]

[3–156] [*Petition of Moses Meader, of Durham, Soldier.*]

To His Excellency Benning Wentworth Esqr Governour and Commander in Chief in and over his Majestys Province of New Hamp-

shire To the Honorable his Majestys Council and House of Representatives in General Assembly convend December 19th 1745 —

The Memorial of Moses Meder of Durham in New Hampr Most humbly shews — That your Memorialist was one of the Volunteers in the pay of this Province at the Reduction of Louisbourg — That your Memorialist was sick before he left Louisbourg That your Memorialist arrivd at New Castle some time the latter End of august last past and was confined there by sickness upwards of three weekes That during his sickness there he was At the Charge of a Doctor four Pounds four shillings old Tenor and Six pounds nine shillings like money for necessarys and attendance — That your Memorialist hath been able to do but little since he came home for the support and Maintenance of himself & family wherefore your Memorialist prays Your Excellency and Honours Consideration of this Memorial and that you will be pleased to make him some Allowance out of the publick Treasury and your Memorialist as in Duty bound shall ever pray &c —

moses meader

In Council Janry 2 1745–6 read & Sent Down to the Honble House
Theodr Atkinson Sery

[He was allowed £5. in full, January 3, 1746. — Ed.]

[3–157] [*Petition of Edward Hopkins, of Portsmouth.*]

To His Excellency Benning Wentworth Esqr Captaine General, Govornour, and commander in Chief in and over his Majesties Province of Newhampshire in New-England, and to the Honble His Majesties Council & House of Representatives now Convened in Genneral, Assembly —

Edward Hopkins of Portsmouth in Newhampshire aforesaid humbly Sheweth, That when the Expedition for the taking Cape Britaine was preparing, he with Sundry others of the Town of Portsmouth Enlisted for the Same —

And was active and did faithfull Duty acccording to the best of his Abillity in every Station he was Commanded to till after the Reduction of the Place —

And in Some little time after at Louisbourge he was taken Sick — and So Sent up in one of the Transports, and has laine in an Extream and low condition Ever Since not being able to help himself in the least Measure — has Spent in Subsisting him the Wages & Bounty

given him and has been on the Charity of well disposed persons for Some time — And as he has done his Duty faithfully in Said Expedition and this Illness proceeds from the Distemper there Rife among the Troops he Most humbly Prays you Excell^{y} & the Honourable the Genneral Court, to allow him something towards his subsisting himself. As in your Wisdome Shall Seem meet, and your Petitioner as in Duty bound Shall Ever Pray &c^{a}

Edward Hopkins

Portsmouth Jan^{r} the first 1745/6

In Council Jan^{ry} 2^{d} 1745–6 read & Sent Down to the Honble House

Theod^{r} Atkinson Se^{ry}

[He was allowed £7. 10. — Ed.]

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 241.]

Boston, Jany 12, 1746.

Sir — I am favour'd with yours by last Post, in answer to which, as to the attempt upon Crown Point wch your Excellency supposes to be laid aside, it will proceed, if Connecticutt and the Southern Governm^{ts} do not fail on their part. The General Assembly here is much engaged in promoting it, and earnest in their requests on me to pursue it: had it not proceeded, I would have endeavoured to assist in your attempt agst St. Francois with two or three or more companies. This proceeding agst Crown Point, between meetings at the Province house to concert proper measures, preparing dispatches to go Express to Connecticutt and New York, and the variety of Business I have with the Assembly, together my dispatches for London & Annapolis, none of all wch would admit delay, necessarily occasion'd my not particularly answering your two last letters before this Post, wch I hope you will therefore excuse. The first of those letters contains an answer to mine upon the augmenting of your three hundred Troops design'd agst St. Francois, and am glad to find in it y^{t} you agree with me thereupon in sentiments, and are determin'd to augment 'em to 500 besides Voluntiers, and it is a particular pleasure to me to find y^{t} Col. Atkinson will go himself upon this Enterprise, wch I have also signify'd to the Governm^{ts} of Connecticutt and New York, and gave 'em hopes y^{t} your attempt upon St. Francois would have kept time as near as possibly might be with that agst Crown Point, wch would favour the success of both: As to your Excellency's

second letter, yet unanswer'd, the acc^{t} of our men's marching to Menis and the Deputies agreeing to furnish 'em wth three months subsistence gives me great pleasure, and it seems to promise y^{t} all things will go right there. I think, as your Excellency observes, Capt. Mitchell's cruise was an unfortunate one, and his coming back to Portsmouth for the reasons he gives seems, I must confess, very extraordinary. But your Excellency is the best judge of that. I will endeavour to get some information from Capt. Stephens respecting the situation & distance of St. Francois from Winnepesaket Pond, and to have it sent you. It will be of great importance y^{t} your forces should have the best of pilots that can be procur'd.

As to what your Exc^{y} mentions concerning the pay of the forces, I have made no drafts for that charge as yet; and all that I can Say at present is, y^{t} it seems to me the several Gov^{rs} are warranted by the Duke of New Castle's letter to draw for their own Troops; and I think the best method is to dispose of the bills to the merch^{ts}, who are the most proper persons to negotiate 'em, wch is the method I have taken with respect to other charges of the Crown that have arisen here.

Be pleas'd to excuse the haste of this scrawl and accept the Complim^{ts} of the season, and an assurance y^{t} I am,

Sir, your Excellency's most Obedient, Humble servant

W. Shirley.

His Exc^{y} Govr Wentworth.

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 242.]

Boston, Jany 27, 1746.

Sir. I had the favour of your Exc^{ys} letter by the Post, and am sorry for the bad acc^{t} from Winnipisioka Pond. I have the same doubt concerning the sufficiency of the officers commissionated by his Maj^{tys} Governours for holding a Court Martial, before the arrival of his Maj^{tys} Commissions here, as you have; tho' I have not the least doubt but y^{t} the 170 men who deserted from the rest of the Troops at the Pond, are (if duly inlisted into his Maj^{tys} service, as I doubt not but they are) as much guilty of mutiny and desertion, as if their officers had actually receiv'd the King's Commissions, and may be try'd for it as soon as there shall be a proper Court Martial erected; wch doubtless your Assembly and other Branches of the Legislature may enable your officers to hold untill the arrival of his Maj^{tys} Commissions &c. And I should think they would upon further consideration pass

such an act, wch the particular circumstances of the case and the necessity of his Maj^tys^ service plainly require. I don't otherwise see how the officers can mentain a proper command over the soldiers. I am sure the General Interest of your own and the other neighbouring Governm^ts^ wch are very deeply concern'd in having your design'd attempt ag^st^ St. Francois supported and successfully prosecuted, loudly calls for such an one, especially as I have received advices from Govr Clinton by Express two days ago, y^t^ he and his Gov^t^ are determined to join wth the Governm^ts^ of the Massachusetts and Connecticutt in an attempt this winter upon Crown Point, and I expect the Govr of Connecticutt will come to a Resolution tomorrow to join too: and all three Governm^ts^ depend on your making the attempt ag^st^ St. Francois at the same time, wch seems to me likely to fail unless the Assembly will join in passing such an act as I have before mention'd, and shall propose to mine forthwith to pass, least the same case should happen among the Troops rais'd in my Gov^t^ as has happen'd with you. In the mean time, undoubtedly you may commit to Goal such of your mutineers and Deserters, as you can properly lay hold of, and secure 'em there, till there shall be a Court Martial for the Trial of 'em.

The Inclosed papers will show your Excellency my method of Enlisting. I should think some proclamation warning the men to return to their duty by such a day under pains of being prosecuted as Deserters with the utmost severity, would not be amiss.

Excuse this hasty scrawl from

Sir, your Excellencys most Obedient, Humble servant.

W. Shirley.

His Exc^y^ Govr Wentworth.

[3–158] [*Petition of Timothy Clement, of Concord,* 1746.]

To Mr Stephens Speaker of ye House

Sur this is to inform you that Sum Time in Januwary and febewary 1744/5 I went To winepesocky with Capt Chandler and I Caryed a Set of Survaying Instrements with me & Took a True plan of the pond according to a Mathematicall Rule and was at Considrable Cost to my Chain men and allso to the Indon Cristo and when I Got home It took me Several Days to Draw the Plan and to make the Remark of Caring places and the Lik and I never Recived but about 3^s^ 10^d^ a Day old tennor: and I Sent the plan To His Excelency Supposing that It might be of Great Sarvice to the Goverment and I was in Hops that His Excelency or ye Honrable Cort would in their wisdom

and Charity a Low me Sumthing for the same and if they would I Should be thankfull for it in as much as I am a poor man and Have a Great familey To maintain and if you would Move it to ye Honrable Cort: and they would alow me any thing and would Send it by Capt Goss I Shall be your Sarvant at all Times Redy and willing To Sarve the Goverment as much as in me Lyes from

Tim^th^ Clement

Rumford febe^w^ ye 6th 1745/6

[For roll of the company, see Vol. V., p. 754. — ED.]

[3-159]

[*Petition from Mary Welch, of Portsmouth, Soldier's Wife.*]

To His Excellency Benning Wentworth Esqr Gover^r^ & Commander in Chief in & over his Majestys Province of New Hampsh^r^ the Honble His Majestys Council & House of Representatives for Said Province in Genl Assembly Convend Feb^ry^ 19th 1745 —

The Humbly Petition of Mary Welsh of Portsmouth in Said Province Shews

That your Petitioners Husband John Welsh listed under Capt George Meserve when Recruiting for Louisbourg & went with him to that place & Still Continues a Soldier there — That he has Receivd only his Months pay & the bounty Money on which his family has Subsisted Ever Since — But Your Petitioner having three Small Children cannot any Longer Support her Self & them without help — Wherefore She Prays that she may be Allow'd to take up the wages due for his Service & that payment thereof may bee orderd Accordingly & Your Petitioner as in Duty Bound shall ever Pray &c —

mary welch

In Council May 7th 1746 read & Sent Down

Theod^r^ Atkinson Se^ry^

[Endorsed] Dismis'd having been answered.

[3-160]

[*Joseph Sleeper's Statement relative to the Trouble between Colonel Richmond and Captain Ladd at Louisbourg.*]

Kingston in the Province of new Hampshire Feb 15 1745-6

To His Excellency the Governour and commander in chief in and over his Majesties Province of new Hamps^r^ and to the Hon^l^ Court and Assembly thereof

The humble Petition of Joseph Sleeper is that as Capt Daniel Lad refused to order or Command his men any more by reason of a disgust he met with from Collonel Richmond May 18th on Saturday Capt Lad was in the Trench with the biggest Part of his Company and going out of the Trench on Saturday morning he passed by Colonel Richmond and gave no Account to him how many men he brought out of the Trench the Collonel Sent after him and brought him and his men back and Sent him with his men to a Guard House near the Trench and then Capt Lad was offended with Colonel Richmond and Said he never would order his men any more nor have anything to do with them any more and So did not order them any more till the 14th day of June we were ordered by the Colonel to go on Board the Man of Warr then the Colonel asked him if he would go on Board the Man of War he told the Col. he did not know he was not very well but he consented to go with his men again July 27th Capt Lad was ordered into the Court Marshall I was Sent for into the Court to give Account why I did not come into Court when I was Summoned I told their Honrs I was not Summoned, So when they looked they found my Name was not in the Summons then having asked me what my Name was they Summoned me to appear in Court the next Thursday at 9 a Clock to give Account what I knew concerning Capt Lad and Brigadeer Waldo told me Capt Lad was confined to his House not to go out any distance on any Account and I must Command and lead the Company into the City on Monday next at 9 of the Clock and must order them from time to time and must obey Such orders as came to me from my Superior Officers. Now when the General told Capt Lad that his men must unload a Sloop of Wood, he replyed that his men did not chuse to work except they ware payed for it; then they Shall have none to burn Says the Generall We will burn Coal Says Capt Lad, the Coal Says the General is for the Smiths, my men Says Capt Lad cannot work they are So faint they can't get their Allowance of Rum; they must have no more Rum they must have Molasses then Says Capt Lad they must go to brewing Beer So he would not Send any men. The Colonel Sent a Warrant to him to Send fourteen men and an Officer with them to guard a Sloop to Saint Peters to bring Wood but he refused to Send men and burnt the Warrant — Now I beg that the Honle Court would be pleased to consider me in this Matter as I have been forced to do this Service I think it is my undoubted Right to ask Some Satisfaction for it I don't remember that ever Lieut Dudly was in the Trench more than twice I was forced to be most constantly with the men in the

Trench I would humbly beg your Consideration on these things for whom I shall ever pray

Joseph Sleeper

In Council May 7th 1746 read & Send Down

Theodr Atkinson Sery

Province of N Hampsh } In the House of Representatives Augt 1st 1746

Voted — That ye Within Petition be Dismissd D Peirce Clk

[3–161] [*Petition of Francis Mason, of Stratham, Soldier.*]

Province of New Hampe } To His Excellency Benning Wentworth Esq Governor & Commander in Chief in and over his Majestys Province of New Hampshir And to his Majestys Honourable Council And Honble house of Represntives convened in Generall Assembly —

The Petition of Francies Mason of Stratham in sd Province Humbly Sheweth, that your Petitioner, was one that went in the first Embarkcation to Cape-Breton and was there at the taking of the City, and behav'd as well as I could, and after that was taken Sick there; was Sick there a Month, and came home sick in Mr Parsons Vessel, when Capt Seward came home, and was Sick two Months after I came a Shore & not abel to do any work, — about a month I lay Sick at Portsmo at mr Berrys under the care of Docter Rogers, & after his Death, my friends removd me to Stratham, where I lay under the care of Docter Wiggin till I was better, I Pray your Excellency and Honours would consider my Circumstances and Pleas to bestow upon me what you in your Wisdom Shall think fit, To whom I Shall be greatly Obliged, And for whom I Shall as in Duty bound ever Pray —

frances mason

Dated February the Eighteenth 1745/6

In Council May 7th 1746 read & Sent Down

Theodr Atkinson Sery

Allowed £2. 10. 0.

[3–162] [*Louisbourg Soldiers' Petition*, 1746. *Hampton Men.*]

To his Excellency Benning Wentworth Esqr Governour And Commander in Chief in and Over his Majestys Province of New Hamps^e^ The Honble The Councill And House of Representatives in General Assembly Conven'd Feby 18th 1745 — [1746 N. S.]

Humbly Shews — Sarah Leavett widow & Relict of Moses Leavett Late of Hampton Deceas'd And Josiah Shaw And Nathanael Moulton of Hampton in Said Province That the Said Moses and we the Said Josiah and Nathanael were Soldiers in the pay of this Province at the taking of Louisbourgh, That we Cheerfully Underwent Any Hardships Nor Did We Shun Any Dangers where it was Tho't we might be helpfull for Accomplishing this Great affair And Accordingly when it was Tho't needfull to make an Attack on the Island Battery We the Said Josiah & Nathaniel And he the Said Moses Readily Ventured our lives in that Dangerous Enterprise where tho' we Escaped with our lives were in the Utmost Danger of Loosing them And after the Greatest tryal of this Sort were obliged to Submitt to the Mercies of Our Enemies Where the Said Moses Lost a Gun of About ten pounds Value old Tenor A Great Coat of about Eight Pounds Value a Pistill Cartuse Box & Powder Horn And after his Return home was Sick & Required tendance a Great while And I the Said Josiah Lost a Gun of About ten pounds Value A Great Coat About ten pounds Value a Cutlass a Leather Guncase a Belt Powder Horn & Bullett Bag Amounting to the Value of About four Pounds fifteen shillings And I the Said Nathaniel Lost a Gun About Eight Pounds Value A Snapsack & Cartuse Box a Hatchet Bullet Bag & Two Powder horns We Therefore pray Your Excellency & Honours to take this Affair Under Your Consideration And Doubt not But it will Appear Agreeable to Justice and Humanity that these Losses should be made up to Us And such Allowance for Our Great Dangers & Hardships as to Your Excellency & Honours Shall Seem Reasonable For which as in Duty Bound We shall Ever Pray &c:

Josiah Shaw
Sarah Leavitt
Nathanel Mouton

In Council May 7th 1746 read & Sent Down —
Theod^r^ Atkinson Se^ry^

alow^d^ to wid^o^ mary Levit for Sickness of her husband & other Losses	7 – 0 – 0
alow^d^ Josiah Shaw	3 – 0 – 0
alow^d^ Nathl moltin	10 – 0

[3–163]

[*Petition of Hugh Montgomery. Had a Son Killed at Louisbourg.*]

To His Excellency Benning Wentworth Esqr Governor & Commander in Chief in & over his Majestys Province of New Hampshire The Honb^{le} his Majesty's Council & House of Representatives for said Province in General Court Assembled the 18th Day of Feb^{r} 1745. 6

The Humble Petition of Hugh Montgomery of Portsmouth in said Province joiner Shews

That Your Petitioner is advanced in years & almost past his Labour & has been disabled also by a fall which has Render'd him more incapable of Labour than he might otherwise have been had no Such Accident happen'd — That your Petitioner had a Son bro't up to his Trade, & was Master of it, who went in the Late Expedition against Louisbourg Who was Kill'd in the attempt upon the Island Battery where he lost his Arms & all that he had with him, & afterwards all that he had in his Tent was taken away by unknown hands, which Arms have been paid for (tho' lost) by a deduction out of the Wages allowd to your Petitioner for his Service —

That the Death of his said Son is a very heavy and Grievous loss to your Petitioner, not only with Respect to his Relation to him & the strong ties of Natural Affection (which in this Case were Increased by a Constant dutiful behaviour) but in Special, with Regard to the profit of his Labour in the Prime time of his Service, being about Nineteen Years of Age when he listed and the Particular Circumstances of your Petitioner, his said Son being his Chief Support the staff of his Age, & the main Stay of his Family, by the Remarkable Diligence & application of the Youth in his Business, & his thorough Mastery of it

That Your Petitioner humbly Conceives it not only agreeable to Natural Justice to make such as hazarded their lives for the Service of their Country in so Eminent & Extraordinary a manner, or the Relations of those who died in the Service, a Generous Reward proportioned to the Hazzards & Benefits of the Event, but also Agreeable to the Practice of all other Places in this & the like Cases, Especially where families are Reduced to a State of Indigence by the Loss of their Relatives — and therefore it Seems a Singular Instance of Severity & unkind usage to make those who lost their Arms in that Desparate attempt on the Battery afores^{d} to pay for them which is in Effect Punishing instead of Rewarding those who laid down their lives for their Country (and what Effect this may have on others may be worthy Consideration) nor are those who died so, in this Par-

ticular Instance the less to be Consider'd, because they did not Succeed in the Enterprize since they shew their good Will & Courage for the Public service & thereby Intimidated the Enemy — But however others may fare Your Petitioner Humbly Conceives the Peculiarity of his Case Claims the Attention of the Government and therefore He Humbly Prays Such an allowance may be made to him in Consideration of the Premises as in Your Wisdom & Goodness you shall Judge fit and Your Petitioner as in duty Bound shall ever pray &c

Hugh Montgomery

In Council May 7th 1746 read & Sent Down

Theodr Atkinson Sery

[He was allowed £15. — Ed.]

[3–164]

[Petition of John Sleeper, of Hampton, dated February 18, 1745–46. He stated that he was taken sick after he came home from Louisbourg, and wanted an allowance. He was allowed his doctor's bill, £1. 5. 0. — Ed.]

[3–165]

[Petition of Shubael Dearborn, of Hampton, Louisbourg soldier, dated February 18, 1745–46. Came home sick in September, 1745. He was allowed £3. 0. 0. — Ed.]

[3–166]

[Petition of Joseph Redman, of Hampton, Louisbourg soldier, dated February 18, 1745–46. Came home sick in July, 1745. He was allowed £2. 10. 0. — Ed.]

[3–167]

[*Petition of Benjamin Thomas, of Portsmouth, Louisbourg Soldier,* 1746.]

To His Excellency Benning Wentworth Esqr Governor & Commander in Chief in & over his Majestys Province of Newhampshire The Honoble his Majestys Council & House of Representatives for sd Province In General Court Assembled ye 18th Day of ffebr 1745. 6

The Humble Petition of Benjn Thomas of Portsmoth In sd Province ffelt Maker Shews

That your Petitioner being Intirely Deprived of the use of his

Arm with Regard to his trade by that Unhappy Shott att the Late Expedition And Whereas out of y^r^ Goodness you have Been pleased to allow Me Monthly Subsistance untill the 25 of March next I would pray your Hon^rs^ to Setle Something on me Anualy that May putt me in Some way to Gett bread for My wife And Children, without being always A trouble to your Hono^rs^ or A Burthen to the town Which I Leave to your wisdom & Goodness ass you Shall Judge fite And your Petitioner as In Dutty Bound Shall Ever Pray &c

Benj thomas

P N Hamp^r^

In Council May 7th 1746 read & Sent Down to the Honble House
Theod^r^ Atkinson Se^ry^

Allowed £20. 0. 0 in the Room of a Pension to be in full for Satisfaction for his Wounded arm & to have no future allowance on that Acc^t^ from the Gen Assem

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[3–168] [*Louisbourg Soldiers' Petition. Portsmouth Men.*]

To His Excellency Benning Wentworth Esqr Governour and Commander in Chief in and over his Majestys Province of New Hamp^r^ To the Honorable his Majestys Council for Said Province and House of Representatives in General assembly Convened Feb^ry^ 18th 1745 —

Most Humbly Shew George Dam George Huntris Henry Sleeper David Decker and Michael Martin all of Portsmouth in the Province of New Hamp^r^ That they each of them were at the Reduction of Louisbourg in the Pay of this Province, That they each of them were sick and at much expence Since their Return Home, Namely George Huntris three weeks George Dam five Weeks Henry Sleeper Six Weeks David Decker Eight Weeks and Michael Martin Seven Weeks — Wherefore your Petitioners respectively pray your Excellency and Honours to Grant them Such Relief as May be tho't reasonable and Just and your Petitioners as in Duty bound shall ever pray —

Georg Dam David Dacker
George Huntris Michael Martin
Henry Sleeper

In Council May 7th 1746 read & ord^d^ to be Sent Down
Theod^r^ Atkinson Se^ry^

Allowed Deaker	3 – 7 – 0	d° H Sleeper	1 : 17 : 6
d. Geo. Dam	1 – 5 – 0	d° Mich. Martyn	2 : 5 : 0
d° Geo. Huntriss	–15		

[3–169] [*Louisbourg Soldiers' Petition. Portsmouth Men.*]

To His Excellency Benning Wentworth Esqr Governour & Commander in Chief in and over his Majestys Province of New Hamp^{r} To the Honorable his Majestys Council & House of Representatives in General Assembly Convened Feb^{ry} 18th 1745

Humbly Shew Michael Whidden of Portsmouth in the Province of New Hamp^{r} Joyner and Joshua Jackson of the Same Place Blacksmith That they each of them were at the Reduction of Louisbourg in the pay of this Province That your Petitioner Michael was sick at Louisbourg and since his Return home has been and still is lame in his right Knee and under the hands of a Doctor and is unable to work — That your Petitioner Joshua receivd a blow on the Small of his Back from a Cannon Shot while in the Trenches, whereby he was much hurt That thereby he is much disabled from working at his trade and business — Wherefore your Petitioners respectively pray your Excellency & Honours to Grant them Such Relief as you shall Judge Reasonable and your Petitioners as in Duty bound shall ever pray &c

Mich^{l} whidden Joshua Jackson

In Council May 7th 1746 read again & Sent Down
Theodore Atkinson Se^{ry}

Allowed 30/ to Jackson Allowed 40/ to Whidden

[3–170] [*Petition of Sarah Trefethen, Soldier's Widow.*]

To His Excellency Benning Wentworth Esqr Governour and Commander in Chief in and over his Majestys Province of New Hamp^{r} The Honorable his Majestys Council and House of Representatives in General Assembly Convened Feb^{ry} 18th 1745

Most Humbly Shews Sarah Treferren widow of Henry Treferren late of New Castle in said Province dec^{d} — That her dec^{d} husband was at the Reduction of Louisbourg in the pay of this Province, That soon after her said husband returnd home he was taken sick, of which Sickness he dyed in about ten days That he left your Petitioner with a number of Small Children, That after the death of your Petitioners husband, the whole Family, one excepted, was taken Sick whereby your Petitioner was put to great Straits & difficultys, that she hath not wherewith to pay for the Funeral charges & Doctors Bills — wherefore your Petitioner humbly prays Your Excellency and Honours to

Grant her such Relief in the Premises as you shall Judge Reasonable & Your Petitioner as in Duty bound shall ever Pray &c —

Sarah treffen

In Council May 7th 1746 read & Sent Down
Allowed £3.. 0.. 0 — Theodr Atkinson Sery

The Widow of Henry Trefferren Deceasd Dr 1745

To Sundy Prace for her Husband & Famly at Sundy times
Amg to 55/ Procl Money £2,, 15,, 0
Equal to 220/ Old Tenor £11,, 0,, 0

New Castle
Febry 14th 1745/6 } Er Excepd ℔ N Sargent j : p

12/3 of the above allowed in another acct

[3-171]

[Petition of Elizabeth, widow of William Ham, of Portsmouth, who died at Louisbourg. — Ed.]

[3-172]

[*Petition of Zachariah Foss, of Portsmouth, Louisbourg Soldier*, 1746.]

To His Excellency Benning Wentworth Esqr Governor & Commander in Chief in & Over His Majesty's Province of New Hampshire the Honble His Majesty's Council for Said Province & the Honble House of Representatives for the Same in Genl Assembly Convened Febry 19th 1745 . 6 —

The Humble Petition of Zachariah Foss of Portsmo in said Province Mariner Shews —

That your Petitioner was one of the Persons who first Engagd in the Enlistment against Louisbourg & Exerted himself to the utmost of his Power to Induce others to List in doing of which he Spent full forty pounds old tenor of his own Money

That His Excellency was pleased to give your Petitioner a Commission to be Lieut of the Sloop Abigail under the Command of Capt Jno Furnald as well as a Warrt to be Pilot thereof, in both which Stations Your Petitioner acted & Discharged his Duty with Diligence & fidelity — by Reason whereof he had a Double duty & Some part of the time had not Opportunity for Sleep above two hours in the four & twenty for ten or twelve Days together

That your Petitioner always attended whenever the Boats were Sent on Discoveries, was at the Reduction of St Peters & on many other Important & Dangerous Services as a Lieu^{t} besides attending his Duty in both Stations on Board, whenever the s^{d} Vessel was orderd on any Cruise

That your Petitioner Conceives the hard Services which he went thro' in the said Expedition was a means of breaking his Constitution & bringing on that Sickness whereof he has lay confind for three Months & of wch he is not yet perfectly Recoverd, for all which he has had no allowance Excepting what was allowd him as a Pilot wherefore he humbly Prays, that his Case may be Consider'd that he may be allowd the pay of a Lieu^{t} as he had the Commission & did the duty thereof (at least for the time he did So) — and that something may also be allowd to defray the Extraordinary Charges & Expences Occasiond to him by his Long Sickness & he shall as in Duty Bound Ever pray &c

Zech : Ffoss

In Council May 7th 1746 read & Sent Down

Theod^{r} Atkinson Se^{ry}

Allowed £5 : 0 : 0

[3–173]

[Petition of Samuel Edgerly, of Exeter, Louisbourg soldier. Stated that he was taken sick. He was allowed £6. for Doctor Dudley Odlin's bill. — Ed.]

[3–174]

[*Petition of Deborah Tucker and Hannah Kenniston, Soldiers' Widows*, 1746.]

To His Excellency Benning Wentworth Esqr Governor & Commander in Chief in & Over his Majesty's Province of New Hampshire the Honble his Majesty's Council & House of Representatives for Said Province in General Assembly Convened Feb^{ry} 19th 1745

The Humble Petition of Deborah Tucker & Hannah Kenniston Widows Shews —

That your Petitioners late Husbands viz Lewis Tucker & John Kenniston were Sailors on Board the Commodore Jno Furnald Commander in the Late Expedition against Louisbourg but after their arrival there

went a Shoar & Served as Soldiers where the said Kenniston was Soon Killd & the said Tucker livd to Return but Died in a few Days afterwards — That the allowance made to them has been only as Soldiers at five pounds per month without any Consideration of any Services they did as Seamen, and a deduction has been made for the Guns which they had of Eight pounds each & your Petitioners not allowd to have the property in them nor Liberty of Disposing of them —

That your Petitioners have Several Small Children Each of them & are in necessitous Circumstances being destitute of the Supplies & Supports wch they used to have & the above allowance being but Small they Humbly Pray that their Circumstances may be Considered That an allowance may be made to the said Deborah for the Doctors Bill & Funeral Expen^s^ of her Said Husband & the said Hannah some Consideration for the forwardness & Service of her Said Husband & to Each of them Something for the Service of their Said Husbands as Mariners and an allowance for their Said Arms which they are Ready to Return or at Least Liberty to dispose of them (tho' that would be troublesome & not answer the End of your Petitioners present necessities) and they Shall as in duty bound Ever pray &c

Deborah Tucker } wrote by
Hannah Kenniston } their desire

P. N : H :

In Council May 7th 1746 read & Sent down to the Honble the Council Theodore Atkinson, Se^ry^

alow^d^ to Deborah Tucker : 3. 0 – 0

This may Certifie That the within Named Lewis Tucker & John Kenniston Serv^d^ as Soldiers & Seamen As within Express^d^ under my Comand John Furnell

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[3–175]

[Petition of Richard York, of Exeter, Louisbourg soldier. Stated that he was taken sick and sent home. He was allowed £5. — Ed.]

[3—176]

[Petition of Jonathan Partridge, Ship-wright, of Portsmouth, Louisbourg soldier. He was allowed £3. 2. 6. — Ed.]

[3-178]

[Petition of Ensign Christopher Huntress, of Newington, Louisbourg soldier. Asked an allowance for sickness, &c., and received £2. 0. 6. — Ed.]

[3-179]

[*Petition of Lieutenant Edward Brooks, of Portsmouth, of the Sloop Abigail, Louisbourg Expedition.*]

To His Excellency — Benning Wentworth Esqr Capt General Governor & Commander in Chief in & Over His Majesty's Province of New Hampshire The Honble His Majesty's Council & House of Representatives for Said Province in General Assembly Conven'd Feb 21^{t} 1745 —

The Humble Petition of Edward Brooks of Portsmouth in Said Province Mariner Shews

That your petitioner went in the Late Expedition Against Louisbourg as the first Lieu^{t} on Board the Sloop Abigail under Capt Furnald, & an Ensign when on Shoar, for which Offices the Capt General was pleased to give Your Petitioner Distinct Commissions, whose Ambition it was to Act Worthy of them, & to Demonstrate that they were not Ill bestow'd —

That your Petitioner fir'd with Zeal for the Success of this Grand Enterprize, Exerted himself with all Possible Diligence, & Animated others to the utmost of his Influence, with good Success and Considerable Service for the General Good of the Cause, as is well known to all who had any part in the Action.

That your Petitioner had the Charge of one Battery & another during the whole time of the Siege, where he was greatly Expos'd to the fire of the Enemy, & the Cold Damps of the Trenches. And was one among those who Propos'd to take the Island Battery every time they proposd it And Particularly in the last Attempt had the Command of those who Ingag'd in that Affair, & may without Vanity Presume to Say that had those who were not in Command, perform'd their part as well as your Petitioner, they had undoubtedly (at least in all Humane Probability) Succeeded in the Attempt

That after the Place was taken your Petitioner went to France with Prisoners a troublesome fatiguing Voyage & was long detaind There without Liberty of going on Shoar, in which as well as in other parts of this Campaign, Your Petitioner Endurd much hardship, which laid the foundation of that Sickness of which he had like to have Died, & which cost him near twenty pounds Sterling in London — That your

Petitioner Conceives the Success of this Expedition was in a Great Measure (under the Divine Providence) Owing to the Bravery & Courage of the Men Ingagd in it, and Nothing more Intimidated the Enemy, than that Bold Attempt on the Island Battery, & the Intrepid behaviour of the Soldiers there and that Such who thus behave Claim of Justice a proportionable Reward and that the Public Good will be thereby promoted this Honble Court need not be told —

Wherefore Your Petitioner Prays that he may be allowd a Quantum Meruit for his Extraordinary Services in this Expedition, that the Charges of his Sickness aforesaid may be defray'd & not Sufferd to lye on him, and that Such Rewards & Compensations may be made him as in your Wisdom & Goodness you shall think meet & he shall as in Duty bound Ever Pray &c — Edwd Brooks

In Council ffebry the 21 1745 read & reccomend —
Theod^{r} Atkinson Se^{ry}

In Council May 7th 1746 read again & Sent Down
Theod^{r} Atkinson Se^{ry}

Dismist

[3–180] [*Louisburg Expedition Account.*]

1745 Province of New Hampshire to Sundry Persons Dr
To Jonath^{n} Partridge for 16 Days work at the time of Siege Against Louisbourg &c Graving ferry Boats Making Bottoms for Mortors Mending Gins & Laying Platforms for Guns &c @ £ } Jon Partridge
1 Grind Stone Press'd for Service of Grand Battery
To Edwd Pendexter Junr for 10 Days Ditto on Ditto Edward Pendexter
To Shad^{h} Waymouth for 10 D^{o} – D^{o} – Shadrack wamouth
To Nathl Meserve Junr 6 D^{o} – D^{o} – Nathl Meserve Junr
To Wm Walden 10 D^{o} – D^{o} –

this work wos all Don By theas men I kno of nothing thay Reseved for Satisfaxion for the Same

℔ me Nathaniel Meserve

[3–181]

[Petition of Samuel Blake, of Kensington, whose son Samuel was in the Louisbourg Expedition. — Ed.]

[3–182]

[Petition of Eleazer Bickford, Cooper, of Durham, Louisbourg soldier. Stated that he was taken ill, and wanted an allowance. He was allowed £2. — ED.]

[3–183] [*Thomas Millet, relative to Sloop Abigail,* 1746.]

Where as the Sloop Abigail whereof I am owner is now Stoped in the Port of Piscataqua by order of the Governour in order if wanted to be Imployd in the Service of the s^d^ Governm^t^ of New Hamp^r^ & She being Laden & wanting Sund^ry^ Stores for any Voyage I have under these Circumstances obtained his Excelencys Lycence that this Sloop may Proceed to Boston with Intent to fit her there & I now Promise & Engage that the s^d^ Vessell Shall returne to this Port again as Soon as the Nature of the Voyage will Permit the Danger of the Seas Excepted March the 9th 1746 —

Thos Millet

[3–187]

[*Petition of Lieutenant Jonathan Gilman, of Keeneborough, Louisbourg Soldier.*]

To his Excellency Benning Wentworth Esqr Governor & Commander in Chief in and over his Majestys Province of New Hampshire To the Honble his Majesty's Council and house of Representatives Convened in General Assembly —

Humbly Sheweth Jonathan Gilman of Keenborough in the Province aforesaid Gent — That in the Month of February 1744 he Enlisted himself into the Company of Volunteers under the Command of Capt Ezekiel Gilman and Proceeded with him in the Expedition against Cape Breton as far as Canso in the Station of a Common Souldier, at which place General Pepperrell on the fifteenth day of April 1745, was Pleas'd to Give your Petitioner a Commission for a Lieutenant of a Company of Marines under the Command of Capt Abraham Trefithen and Obediently Served as Such Dureing the remaindcr of the Expedition For which Service Your Petitioner Humbly hopes and Desires that Your Excellency and hon^rs^ will be pleas'd in Your Great wisdom and Goodness to Allow him to have and receive of the Treasurer of this Province the Same wages That other Lieutenants in the Expedition had from the afores^d^ fifteenth

day of April — Your Petitioner having as Yet received Nothing but Common Souldiers pay — Jonathan Gilman
Dated April 8th 1746.

In Council May ye 6 1746 read & Sent down to the House
Theodore Atkinson Sery

Augt 2d Dismiss'd D Peirce Clk

[3–188]

[*Petition of Tabitha Cass, Widow of a Louisbourg Soldier*, 1746.]

To his Excellency Benning Wentworth Esqr Governour And Commander in Chief in and Over his Majestys Province of New Hampse in New England The Honble His Majestys Council And House of Representatives in General Assembly Conven'd May 6th 1746 —

Humbly Shews Tabitha Cass of the Parish of Kensington in Province aforesaid Widow & Relict of Jonathan Cass Late Deceas'd That your Petitioner's Husband was a Voluntier in the Pay of this Province in the Expedition for the Reduction of Louisbourgh Where the Hardships and Difficulties he met with so Destroyed his Health that when he Return'd the Last of August past he was obliged to be Carryed from the Vessell to his House being unable to walk himself and so Remained Sick and under the Doctors hands till the 13th of Sepr when he Died, That Your Petitioner was obliged to Expend a Great Deal in the time of his Sickness for Necessarys for him. Besides the Doctors Bill herewith Sent, That Your Petitioner is in Low Circumstances and has a Large family of Children to maintain. I therefore Rely on the Goodness of Your Excellency and Honours to Grant me allowance of the Doctors Bill and for Such allowance for Necessarys and funeral Charges & Such like Expended As in your Great Wisdom & Goodness you shall think the Circumstances Require and your Petitioner as in Duty Bound shall ever Pray &c:

Tabitha Cass

Doctrs bill allowed & paid May 12 1746

In Council read & Sent Down Theodore Atkinson Sery

allowd 5,, 0,, 0 —

[3–189]

[Petition of Abigail Thomas, widow of John Thomas, a soldier in the Louisbourg expedition, in Captain Sherburne's company. She was allowed £2. 0. 0. — Ed.]

[3–190]

[Petition of John Hicks, Louisbourg soldier. He was taken sick and discharged in consequence. His doctor's bill, amounting to £2. 10. 0. was paid. — ED.]

[3–191]

[Petition of Samuel Kenniston, who stated that his son Samuel was in the Louisbourg expedition under Captain Furnald, and that he, Samuel, Sr., served also as a sailor. — ED.]

[3–192]

[Petition of Philip Johnson, Louisbourg soldier, discharged and sent home sick. Allowed £2. 10. 0. — ED.]

[3–193]

[*James Wood's Petition, relative to Care of Sick Soldiers at Louisbourg.*]

Province of New-Hampshire.

To His Excell^{y} Benning Wentworth Esqr Capt Genl & Govr in Chief The Honble The Council & House of Representatives in Genl Court Assembled The 6th Day of May 1746.

The Petition of James Wood, Humbly Sheweth,

That yor Petitioner having served His Majesty in the Capacity of a Surgeon to the Regiment Commanded by Col^{o} Samuel Moore, In the Late Expedition against Cape Breton, and Continued in said Service untill the beginning of April last, at which Time Yo^{r} Pet^{r} was sent Home with the Care of Several Sick Men. And Whereas Doct^{r} Joseph Pierce Chief Surgeon to s^{d} Regiment return'd Home in December last, Yo^{r} Pet^{r} from that Time, untill the middle of March had the Sole Care of the Men belonging to the afores^{d} Regim^{t} on Account of Doct^{r} Alexand^{r} Clark's being sick during s^{d} Time, who was appointed Chief Surgeon in the Room of the afores^{d} Doct^{r} Pierce, But by reason of the Great Numbers that were Sick, together with the Extream Cold Season; Yo^{r} Pet^{r} underwent very great Hardships & Fatigue. Therefore, Most Humbly Prays Yo^{r} Excell^{y} & Hon^{rs} would be pleas'd to take the same into Consideration, and Grant unto

Yo^{r} Pet^{r} such an Allowance over and above his Stated Pay for s^{d} Extraordinary Services, as in Yo^{r} Great Wisdom shall seem meet.

And Yo^{r} Petitioner as in Duty bound shall Ever pray &c.

Ja : Wood

In Council May 10th read & ordred to be Sent Down

Theod^{r} Atkinson Se^{ry}

[He was allowed £5. — Ed.]

[3–194]

[*Petition from Mary, Widow of Jeremiah Marston, who was Killed at Louisbourg.*]

Province of New Hampshier } To his Excellency Bennin Wintworth Esq Governer and Commander In Cheif in and over his majestyes Province of New Hampshier in New England and to the Honourable the Councel and house of Representitives In General Assembly Convened Novem^{br} 20th 1745

The Humble Pitition of Mary Marston wido Releit of Jeremiah Marston of Hampton in Said Province Deceased Most Humbly Sheweth that the husband of your Pititioner the Said Jeremiah Marston Did go Vollinteer in the Expedition against Louisbourg — and Did find him Self a gun — and that the husband of your Pititioner the Said Jeremiah Marston was Killed a fighting with the french and Indians in the woods at Some Distance from the City of Louisbourg and that there his gun was Lost

Your Pititioner Humbly Prays that your Excellency and Honours would take this Pitition in to Consideration and order that the Said gun May be Paid for : as In your grate wisdom shall seem meet — and your Pititioner as in Duty bound shall Ever Pray

Mary Marston

And as the Said Jeremiah Marston had of the Province a sword & hatchit Cartouch-Box and snapsack which were all Lost at the Same time when he was Killed a fighting as afore said your Pititioner Humbly Prays your Excellency and Honours that the Pay for them may not be Charged to his account out of his wages

.Mary Marston

In Council May 7th 1746 read & Sent down to the House

Allowed £3,, o^{s} o^{d} Theod^{r} Atkinson Se^{ry}

[3-195] [*Petition of Benjamin Kemming, of Exeter, Soldier.*]

To His Excellency Benning Wentworth Esqr Capt General Governor & Commander in Chief in & Over His Majesty's Province of New Hampshire The Honble His Majesty's Council & House of Representatives for Said Province in Genl Assembly Convened May 7th 1746 —

The Humble Petition of Benjamin Kemming of Exeter in the Province afores^{d} Shews

That your Petitioner was one of the Soldiers in the Late Expedition against Louisbourg in the Company of Capt Trueworthy Dudley & did his duty there till about Six weeks before he came home (which was Sometime in October) when he was taken Sick with the Distemper then prevailing there & came home Sick & Continud So for more than two Months time after he came home all which was attended with great Expence & Charges to Your Petitioner as well as Loss of time — and farther thro' his Incapacity to Look after his things by his Said Sickness Before he got home he lost his gun which Some Illminded Person Clandestinely took from him — Wherefore he humbly Prays that You would Consider his Case & make him Such an Allowance to defray the Charges afores^{d} & the Loss Occasioned by the afores^{d} visitation of Providence as in your great Wisdom & Goodness you Shall think proper and Your Petitioner as in Duty Bound Shall Ever Pray &c — Benjamin kimein

In Council read & Sent down to the House
May 7th 1746 Theod^{r} Atkinson Se^{ry}

Allow^{d} 50/ for Sickness
40/ for Gunn

£4 - 10 - 0

[3-196] [*Petition of Joseph Rawlins, Louisbourg Soldier.*]

To the Honr^{bl} Hous of representives of this province of new hampsher Gent^{l}men

Whereas I was in the Late Expidition against Cap briton and in order to subdu the Eneimis of our king and cuntery and bring them in obedence to his magesty the first day of may Last as we Sayled into caprous bay we saw a numbr of our Enemis Com down to the water Side to molist us or keep us from Landing we got ashore as quick as we could I carred my owen gon and a pistll from hom with

me and at the time of Landing the bushes being thick I Lorst a pistill value four pound at our first Landing which I pray you to con-Sider and alow me what you think fit for S^{d} pistill and fourther pray you to consider and allow me Somthing If you Se fit for the pain and Loss of time which I have sastaind by a wound I Res^{d} the 7th of June Last past which your petishiner as in Dutey bound Shall Ever pray

Joseph Rawlins

In Council May 7th 1746 read & Sent down

Theod^{r} Atkinson Se^{ry}

Allow^{d} 1. 10. 0

[3-197]

[Petition of Edward Hopkins, of Portsmouth, Louisbourg soldier, for further allowance. — Ed.]

[*Major Gilman Lost his Coat at Louisbourg.*]

May ye 9th 1746

Gentelman this is to put you in mind of ye Loss I mat with att Lousborg by having my Coat blown away in ye barel of pouder, hoping that you will Consider me who am your humbel servent

Ezek^{ll} Gilman

allow^{d} 5. 0. 0

[3-198]

[Petition of Abraham Morgan, of Stratham, states that his brother, John Morgan, of Kingston, was in the Louisbourg Expedition ; came home and died. — Ed.]

[3-199]

[*Petition of Lieutenant Ezekiel Pitman, of Portsmouth, Louisbourg Soldier.*]

To His Excellency Benning Wentworth, Esqr Captain General & Governor in Cheif in & over His Majestys Province of New Hampshire & to the Honble His Majestys Council for Said Province & House of Representatives now Conven'd in General Assembly —

Humbly Sheweth Ezekiel Pittman of Portsmouth in the Province of New Hampshire, That he listed in His Majestys Service as Second

Leiu^{t} under Capt John Mason & went on the Expedition ag^{t} Louisburgh. That after the first Leiu^{t} Mr John Hart Come home he Acted the Space of a fortnight as first Leiu^{t} and that after Capt Mason went to France which was ab^{t} ye 20th of July he had the whole Charge & Care of the Company as Captain & having no Officers under him for the Space of Three months, was Obliged to Do threeble Duty which greatly Exposed your Petitioner So that he was grievously Afflicted with the Distemper Raging in the place & thereby forced to Come home. That after your Petitioner Came home he was Confined By reason of Said Sickness the Space of a month & is not yet thoroughly Recovered. That your Petitioner has been paid Off only as a Second Leiu^{t} at 40/ ℔ month

Wherefore Your Petitioner humbly prays the Consideration of your Excellency & Hon^{rs} that he may have a reasonable Augmentation of his Wages for his Extraordinary Service & a proper allowance for Loss of time & Charge of Doctors & Your Petitioner Shall ever pray as in Duty Bound — Ezekiel Pitman

In Council May 15th 1746 read & ordred to be Sent Down to ye House Theod^{r} Atkinson Se^{ry}

alow^{d} 2. 0. 0

[3–200] [*John Goffe's Account and Memorial*, 1746.]

Dec^{br} 18th wated till ye 23 at which time I Rec^{d} His Exel^{ny} orders for Inlisting 20 Efective men which I did and at the Same time cared up the ammunition

Feby 10th came down accordin to his Exel^{ys} order to Give an accompt of my march and the 19th the assembly voted 10 men more to be added to my Scout and the Gove^{nr} Gave me an order to Inlist or Impress them and Carred up the ammunition for 30 men

March 29th came Down again to Give the Gov^{nr} an accompt of my marches at which time his Exel^{cy} Gave me orders to go Imeadatly to cantuerbury to Dismiss the men which I did by ye 5th of apriel

to Mr James Jeffery for drawing my muster Rols

To His Exelency Govener the Honble the Counsel and House of Repestetive In Gen^{ll} Cort convened

The Petion of John Goffe Humbley Shueth that your Petitioner has ben at a Grate charge as by the accompt above and prays that your

Excl^cy and honrs would make him Som allowence and your Pett^nr as In Duty bound Shall Ever Pray

may ye 22nd 1746 John Goffe

To 4 Jorneys down to the Bank* by order Each jorney 10^s Extro^ry charges — £2 - 0 - 0
To carreing up ammunition for 20 men 1 - 0 - 0
To carreing up ammunition for 30 men 1 - 5 - 0

A Comp^t ℔ John Goffe

Province of N Hampsh^r } In the House of Representatives May 23rd 1746 Voted — That Capt Goffe be allow'd fifty Shillings in full of ye above account to be pd out of ye Money in ye Treasury for ye Defence of Government — D Peirce Clk

In Council Eod^m Die read & Concurrd

Theodore Atkinson Sec^ry

Eod^m Die Assented to B Wentworth

[4-1]

[Petition from Daniel Doe, of Durham, dated May 23, 1746. He stated that he was in the Louisbourg expedition under "Capt^t John Furnel"; was taken sick with a fever and sent home. He was allowed £2. 10. 0. to pay his doctor's bill. — ED.]

[4-5]

[Bill of "Nathanael Lang Junr, ferray man" for ferrying men to the fort at New Castle, dated June 2, 1746. Allowed £3. 3. 6., December 11, 1747. — ED.]

[4-6]

[*Petition of George Thompson, Louisbourg Soldier, who was subsequently Impressed*, 1746.]

To His Excellency Benning Wentworth Esqr Capt General Governor & Commander in Chief in & Over His Majestys Province of New Hampshire the Honble His Majestys Council & House of Representatives for Said Province in General Assembly Convened — July 1st 1746 —

Humbly Shews George Thompson of Portsmouth in Said Prov^e Joiner That he was one of those Soldiers in the Late Expedition

[* Strawberry Bank, Portsmouth.]

against Louisbourg that made the Attack on the Island Battery in which he lost his Gun (tho' he fought the Fort with another which belonged to some other Person disabled) & was one of those who thro' the favour of Heaven got off without Personal Damage. —

That he was Sent to france in one of the Transports & after his Arrival at Portsm° in England from france was pressd on Board His Majestys Ship the Princess Royal (notwithstanding he had Commodore Warrens Protection) & then turn'd over to His Majestys Ship the Grand Turk a twenty Gun Ship in which he was Sent out upon a Cruise in which Ships he Servd about ten weeks & left the Ship he was last in at Lisbon & at his Arrival at Boston was again pressd on Board Capt Rouse where he Servd Eleven Weeks & then left him —

That this Pressing from first to Last was Contrary to the Promises made to the Persons who went in the said Transports & Considering their Services & Sufferings therein was Cruel & hard usage and Especially as your Petitioners Case was being Oblig'd to make his Escape at any Rate to Obtain his Liberty by which he lost his Clothing & all that he had Except the few Rags (& their usual Inhabitants) on his Back Wherefore he humbly Prays he may have the Compassion of this Honble Court that as his fortune in this Expedition has been So Peculiarly hard he may have Some farther allowance made him (having had only the Common Wages to the time he was put on Board the Transport) & that his Repeated Misfortunes may be Alleviated by Such a Recompence as in Your Great Wisdom & Goodness You Shall think meet & your Petitioner as in duty Bound shall Ever pray &c Gorg Tomson

In Council July 2^d 1746 — read & Sent Down

Theod Atkinson Se^ry

alow^d £8. 0. 0

[4–7] [*Petition of Lieutenant Ezekiel Worthen of Kensington.*]

To His Excellency Benning Wentworth Esqr Capt General & Commander in Chief in & Over His Majestys Province of New Hampshire the Honble His Majestys Council & House of Representatives for Said Province in General Assembly Convened July 3rd 1746 —

The Humble Petition of Ezekiel Worthan of Kensington in S^d Prov : Gent. Shews —

That he went to Louisbourg a Lieu^t of Capt Jonathan Prescut's Company under whom he Servd in that Office until his Decease But

from the time of his being taken Sick & afterward to the time of the Discharge of the said Company Your Petitioner did the Duty of a Capt of Said Company whereby his care & Labour was greatly Increased and the difficulties of Duty much greater than they would have been had he been only a Lieu^{t} under so good a Capt as the said Prescut was —

Wherefore your Petitioner Humbly Prays that as by the afores^{d} means a greater Burthen fell on him (as he did the duty & had the Care of a Captain to the Said Company (which was as large as any there) for the whole time afores^{d}) so he may be allowd the full pay of a Captain or the same which his Captain had or was to have had if he had Livd and Your Petitioner as in duty Bound Shall ever Pray &c —

Ezekiel Worthan

In Council July 3^{d} 1746 read & ordred to be Sent Down to the Honble House

Theodore Atkinson Se^{ry}

Province of N Hampsh } In the House of Representatives August 1st 1746 Voted That the within Petition be dismissd

D Peirce Clk

[4–8]

[Petition of Daniel Bean, of Kingston, dated July 4, 1746. Stated that he was taken sick at Louisbourg and sent home; wanted an allowance. — Ed.]

[4–9]

[Memorial of Henry Marshall, Louisbourg soldier, who stated that he was charged for more equipments than he and his son, also a soldier, received. Allowed. — Ed.]

[4–10]

[*Petition relative to a Slave of Theodore Atkinson who was in the Louisbourg Expedition.*]

Prov : of New Hamp^{r} } To His Excelency Benning Wentworth Esq Gover-nour &c^{a} To the Honble his Maj^{ty} Council And to

House of representatives for S^d^ Province in General Assembly Convened Humbly Shews —

The Memorial of Theodore Atkinson That A Slave of his as a Voluntier was in the first Embarkation ags^t^ Louisbourg as a Soldier in Capt Masons Company whose name in the Muster roll is John Gloster — That When the S^d^ Slave Enlisted your Petitioner Purchased A Gun at the Price of Twelve pounds old Ten^r^ for S^d^ Gloster which he carryd with him and at the Attack of the Island battry his S^d^ Gun was Shot to peices with a Cannon ball — that your Petitioner nor the the S^d^ Slave had any other gun given in the room thereof as was the case with many nor any allowence therefor wherefore he Prays the Consideration of this Honble Court in Premises

Theodore Atkinson

In Council July 10th 1746

read & ordred to be Sent Down to the House of Represent^a^

Theod^r^ Atkinson Se^ry^

Allowed £3 : 0 : 0

[4–11]

[*Louisbourg Soldiers' Petition for an Allowance for Rations not Received, July*, 1746.]

To His Excellency Benning Wentworth Esqr Capt General & Commander in Chief the Honble His Majestys Coun^l^ & Representatives for the Province of New Hampshire in General Assembly Convened July 1746

The Humble Petition of Sundry Persons Soldiers in the Late Expedition against Louisbourg Shews

That the Great Labours & fatigues which your Petitioners (with others in the said Expedition) Endured are so well known that they would not Spend time here to Enumerate them But their Sufferings for want of the necessaries & Comforts of Life have not been so much Spoken of —

That your Petitioners have kept an Account of the Days they had not their allowance which was Intended for them & the kind or Quality of what was wanting an Account of which is hereunto Annexed and as Your Petitioners have done Penance for want of what this Honble Court designd they should have & which they Expected to have had —

Your Petitioners Humbly Pray that they may have a Suitable Consideration not only according to the value of those Deficiencies but Some Reasonable Compensation for their Sufferings for want thereof & which they think they have a just Claim to as Smart money — Or that they may be Considered in Such way & manner as in Your Great Wisdom & Goodness you shall think fit & Reasonable & Your Petitioners as in Duty Bound Shall ever Pray &c —

John Dam	Edward Shurbne
Henry Sleeper	John Brewster
George Huntris	George Perkins
Samuel huntris	Mich[ll] Whidden
George dam	Peter Greley
John Abot	Benjaman lewes
David Gardner	Joseph Ham
Samuel Tobey	Shadrick Wamuth

P N Hamp[r] In Council July 11 1746
read & ordred to be Sent Down to y[e] Hon[ble] House
Theodore Atkinson Se[ry]

[See next document. — Ed.]

[4–12] [*List of Rations not Received.*]

The Names of Sundry of the Soldiers in the Late Expedition against Louisbourg with the Number of Days of their Back allowance —

	Number of days each		
	Rum	bread	Meat
Shadrach Weymoth	46	16	13
Benjamin Lewes	46	23	23
James Nelson	46	16	13
Joseph Ham	46	16	13
John Dam	59	10	10
George Huntress	57	8	0
Samuel Toby	41	9	0
Joseph Downing	50	0	0
George Perkins	30	35	0
David Decker	50	0	0
Samuel Huntress	60	16	8
Henry Sleeper	60	16	8
George Dam	60	16	8
David Gardner	67	27	27
Eliphalet Ring	60	16	8
Thomas Haley	60	16	8
John Herd Hubbard	53	19	14
John Grove	59	7	7
Michael Whidden	55	12	12
John Brewster	58	16	16
Edward Sherburne	47	14	14
John Abbot	55	12	12
Peter Greley	46	16	13

But 5 Gallons of Molasses for Six men for the whole time & no Butter nor Suguar

[4-13] [*William Prescott's Petition. Louisbourg Soldier.*]

To His Excellency Benning Wentworth Esqr Govornour and Commander in Chief in and over his Majesties Province of Newhampshire in New England and to His Majesties Council for Said Province & House of Representatives now Convened in General Assembly

William Prescot humbly Sheweth —

That he Inlisted into his Majesties under Capt John Light and with him proceeded to Louisbourgh, and after Some time there was Seiz'd with the Severe Fevor that reigned at ye Place and after the Height of the Fevour abated, The Humor fell into his Leggs aud feet in Severe fevors Sores. that turnd to Mortification, whereby your Petitioner hath lost his Right Legg and two of his Toes of the Left foot whereby he is rendered incapable of Labouring for his Living —

Your Petitioner humbly Prays yor Excellency & the Honble Court to Commisserat his Circumstances and allow him Some Pension as your Exc^{lly} and the Honble Court in yor Wisdom Shall See meet So prays your humble Petitioner

July 29 1746 William his + Mark Prescot

In Council July 29th 1746 read & ord^{d} to be Sent down to ye Honble House Theodore Atkinson Se^{ry}

allowed £30. 0. 0 for loss of his leg &c in full & no future allowance.

[4-14]

[Petition relative to Nathaniel Lamson, of Exeter, Louisbourg soldier. — Ed.]

[4-15] [*Petition of John Griffith, Jr., Louisbourg.*]

To His Excellency Benning Wentworth Esqr Governour and commander in Chief in and over his Maj^{ties} Province of New Hampshire to the hon^{ble} his Majes^{ts} Council for Said province and house of Representatives now Convened in Generall Assembly —

John Griffeth Junr humbly Sheweth —

That your petitioner Served as Clerk in his Majestys Service at the Reduction of Louisbourg in Capt Joseph Sherburns Company — and

after Reducing the Said place your petitioner Endeavourd for a Discharge but could not obtain it but had leave of the commanding officers there to come home to Transact some Affairs Relating to the company and to procure and bring Down Necessaries for them which as Soon as your petitioner had Done and Procured he Return'd to his Duty at Louisbourg again.

Yet So it is your Petitioner is given to Understand that he is Struck out of the Muster Roll from the time he first came home altho he Did his duty In every respect as Sent: and return'd again as he was Oblidged —

Your Petitioner humbly Prays your Excell^{y} And the hon^{ble} Court that he may be allow'd his full wages being allways in his Duty the whole time.— And your petitioner as in Duty bound Shall Ever pray &c John Griffeth j^{r}

July 30th 1746

In Council July 30th 1746 read & ordred to be Sent down to the Honble House Theodore Atkinson Se^{ry}

Dismissd: D Peirce Clk

[4-16]

[Petition of Samuel Blake, of Kensington, whose son Samuel, a minor, was in the Louisbourg expedition. He stated that his son was taken sick, and that he hired a man to take his place. He wanted an allowance, and presented affidavits of "Mary Lilly & Hannah Clough," who nursed him. He was allowed £2. 10. 0. — Ed.]

[4-17]

[*Petition of Deborah, Widow of Nicholas Dunn, of Portsmouth, Killed at Louisbourg.*]

To His Excellency Benning Wentworth Esqr Governor & Commander in Cheif in & Over His Majestys Province of New Hampshire. To the Honble His Majestys Council for Said Province & the Honble House of Representatives in General Assembly Conveened July ye 31^{t} 1746

Humbly Shews Deborah Dunn widow Relict of Nicholas Dunn late of Portsmouth in Said Province Carpenter, that the Said Nicholas her Late husband was a Voluntier in the Expedition against Louisburgh — That he was one of the Bold Adventurers in the Attack of the Island Battery where he was killed & his Gunn, hatchet Snap-

sack, Cartooch Box & Cloaths all Lost to the value of Thirty Seven pounds four Shill[s] That Your Petitioner is a poor helpless widow & Nothing but her hands to gether Living, She therefore prays the Consideration of Your Excellency & Honours & humbly hopes for a Suitable Satisfaction for So great a Loss & Your Petitioner Shall ever pray as in Duty Bound —

her
Deborah + Dunn
mark

Mem[o] of the things Lost viz[t] —

1 Gunn		9,,	0,,	0	1 Coat	5	——
1 Knapsack		0,,	10,,	0	1 Shirt	2	——
1 Cartooch Box		0,,	12,,	0	1 p[r] Silver buckles		
1 hatchet		0,,	12,,	0	Cost	3,,	10,, 0
5 p[r] hose		4,,	0,,	0	1 hatt	2	——
3 p[r] breeches		6	——			——	——
3 Jackets		4	——			£37 :	4 : 0

alow[d] 15 – 0 – 0

[4–18]

[*Petition of John Ladd relative to his Son, Jonathan Ladd, Louisbourg Soldier.*]

To His Excellency Benning Wentworth Esq[r] Govornour and Commander in Chief in and over his Maj[ties] Province of Newhampshire, in New England, And to His Maj[ties] Council for Said Province and House of Representatives Now Convened in General Assembly —

John Lad humbly Sheweth —

That his Son Jonathan Lad went to Louisbourg in his Maj[ties] Service in the Capacity of a Physitian and in his Return was taken Sick of the Distemper that Reign'd at Louisbourge, and was Landed at Portsmouth in a verry weak and low condition, not being capeable of going any farther, where your Petitioner was oblidged to be at Considerable charges Extraordinary while he Lived and after his Death for his Burial —

Your Petitioner humbly Prays your Excell[y] and this Hon[ble] Court for Some allowance towards the Charge and Expence that he has been at, as in Your Wisdome Shall Seem meet —

So prays your humble Petitioner &c[a] — John Lad.

August the 2[d] 1746

In Council Augs[t] the 2d 1746 read & Ordred to be Sent Down to y[e] Hon[ble] House Theod[r] Atkinson Se[ry]

allowed £5,, 0,, 0

[4–19]

[Memorial of Thomas Card, of New Castle, Louisbourg soldier, for allowance for back rations. — Ed.]

[4–20] [*Memorial of Spencer Colby, Louisbourg Mariner.*]

To His Excellency Benning Wentworth Esqr Capt General Governor & Commander in Chief in & Over his Majesty's Province of New Hampshire the Honble His Majesty's Council & House of Representatives in General Assembly Convened August 11th 1746 —

The Humble Petition of Spencer Coleby Mariner Shews That your Petitioner went in the Late Expedition to Louisbourge a Mariner on Board the Sloop Abigail Capt Jno Furnald Commander — and Soon after our Arrival there your Petitioner went on Shoar with leave of his Said Commander to Assist in working & fighting with the Cannon at the Batteries Your Petitioner having been before used to the Managem^{t} of those Instruments of War and to the utmost of his power Servd in that Station at the first the third & Light House Batteris from the time afores^{d} to the time of the Surrender of the City

That as men Skilld in the Managem^{t} & proper use of that part of the Artillery were but few Your Petitioner Apprehends that his Service in the Said Station was of much more Consequence & advantage to the Business then in hand, than that of a Mariner only & as he discharg'd his duty with Care & fidelity Humbly Conceives he his Services Claim a Greater Reward than a Mere Mariner —

Wherefore he Humbly Prays that he may have an Additional Allowance in Consideration of his Said Services having had only Mariners Wages & he Shall as in duty Bound Ever pray &c —

Spencer Colby

Your Petitioner begs leave to add that thro' a Mistake in the payment he has Receivd only twenty five Shill^{s} per Month as will appear upon Examination Spencer Colby

We the Subscribers Certify that we know that the above named Spencer Coleby was at the above named Batteries Assisting as a Gunner in which Art he had the Reputation of being Well Skilld in which Station he behaved very Well & was very Serviceable & Shew himself to be a Man of Skill Courage & Fidelity & we are humbly

of Opinion that his Merit in the Said Expedition justly deserves a farther Consideration & Reward than that of a Mariner only

Nathaniel Meserve — Sam[l] Moore
Jn[o] Tufton Mason — Edw[d] Brooks
John Furnell — James Whidden
Zechariah Foss

alow £5,, 0,, 0

[4–22]

[Petition of Caleb Sanborn, of Hampton Falls, dated August 12, 1746, who states that his apprentice, James Lowell, was at Louisbourg, and came home sick. He was allowed £2. — ED.]

[4–23]

[Petition of Adjutant John Eyre, of Portsmouth, dated August 20, 1746. He wanted an additional allowance, and also pay for recruiting men for the Cuba expedition in 1740. "Aug[t] 23[d] 1746 Voted Dismiss'd."— ED.]

[4–24] [*Certificate of Dr. Benjamin Row.*]

In the year 1746 In June & July I Benj[a] Row was Employd as a Physician for John the Son of Joshua Prescutt the next day upon his Return from Cape Breton he Came home Ill Contracted his Illness I Imagine at Cape Breton and after Some time Removing the Disease from his Bowels it Settled in his hips and there Remaind while the fall and then it gatherd forward and formd it Self into an abcess i was again Consulted and did not Care to open it but advis[d] to Send for Doct[r] Hale to advise with me and he Came and Insisted upon his being Carried to newbury and accordingly he was Carried over and there died — for what i did first In June & July i was payd out of the province Treasury and afterwards not applying anything only my advice the young man Being poor i askt him nothing for it

Benjamin Row physician & Chirugeon

[4–25]

Province of
N Hampsh[r] } In the House of Representatives Aug[t] 12[th] 1746

Whereas y[e] following Persons Voluntiers in y[e] late Expedition

against Louisbourg have Petitioned ye General Court for some Allowances in Consideration of their Losses Sickness &c Suffer'd in S^d^ Expedition as represented in their respective Petitions on File —

Voted — That there be allow'd to S^d^ Persons ye Sums as carried off to each Man's Name following Viz^t^

To Phillip Johnson	Greenland	£2 – 10 –
John Hicks		2 – 10 –
Samuel Keniston		1 – 15 –
Weymouth Ham	Portsmo	2 – 5 – 6
Timothy Cotton		1 – 14 –
John Alcock		– – 18 –
Joseph Ham		– – 14 – 9
Samuel Frost		– – 8 –
Leader Nelson		1 – 9 – 6
Shadrach Weymouth		1 – 3 – 7½
Hugh Montgummery		15 ——
George Tomson		8 ——
Ezek^l^ Pitman		2 ——
Shubal Dearborn	Hampton	3 ——
Joseph Redman		2 – 10 –
John Sleeper		1 – 5 –
Joseph Rawlins Exeter		1 – 10 –
Joshua Jackson Portsmo		1 – 10 –
Samuel Edgerly Exeter		6 ——
Tabitha Cass Kensington		5 ——
Jonathan Patridge Portsmo		3 – 2 – 6
Nich^s^ Dunn's Widow Portsmo		15 ——
Fra^s^ Mason Stratham		2 – 10 –
Moses Leavit's Widow Hampton		7 ——
Josiah Shaw Hampton		3 ——
Nathl Moulton Hampton		– – 10 –
Danl Doe Durham		2 – 10 –
Eleaz^r^ Bickford Durham		2 ——
Saml Blake Kensington		2 – 10 –
Abraham Morgan Stratham		1 ——
Lewis Tucker's Widow N Castle		3 ——
Richd York Exeter		5 ——
Henry Triffethen's Wid^w^ N Castle		3 ——
Christo^r^ Huntress Newington		2 – 0 – 6
Maj^r^ Ezekiel Gilman Exeter		5 ——
Michael Whidden Portsm^o^		2 ——
David Decker Portsm^o^		3 – 7 – 6
Geo Dam Newington		1 – 5 –

To Geo Huntress Portsmo	– – 15 –
Henry Sleeper Portsmo	1 – 17 – 6
Michael Martyn Portsm°	2 – 5 –
Zach^{h} Foss Portsm°	5 ——
Benjamin Kimmings Exeter for Sickness & Gun	4 – 10 –
Jeremiah Marston's Widow Hampton . . .	3 ——
John Tomas's Widow Kittery	2 ——
Benj Thomas of Hampton instead of a Pension for his arms being wounded on ye Expedition ag^{t} Louisbourg & to have no other Allowance for ye future	20 ——
Joseph Lamson Exeter in full for Doctors Bill &c	3 – 3 –
Theod^{r} Atkinson Esqr for Jo^{n} Gloster's Gun .	3 ——
William Prescut of Epping in full for ye Loss of his Legg at Louisbourg & to have no future Allowance	30 ——
William Fullerton Brentwood in full for Nursing Doctoring &c	6 – 5 –
Capt Jo^{n} Ladd of Kingston for Expence of the Sickness & Funeral of his Son Doc^{r} Jonathan Ladd return'd Sick f^{m} Louisbourg five Pounds	5 ——
Thos Card of New Castle	2 – 10 –
Solomon Pinkum Dover in full for his Petition .	2 – 10 –
Spencer Coleby	5 ——
Israel Hodgsden Newington	2 – 10 –
	£229 – 4 – 4½

D Peirce Clk

In Council August 22^{d} 1746 — read & Concurrd

Theodore Atkinson Se^{ry}

Eod^{m} Die Assented to

[4–27]

[Petition of Walter Warren, of Portsmouth, gunsmith, who asked pay for tools lost in the service at Louisbourg. He presented a bill as follows, and was allowed £2. 1. 9, May 29, 1746. — Ed.]

June Y^{e} 1st 1745

The Provience of Massachusetts Bay to Walter Warren D^{r}

To 1 hamer 7/	£–„ 7 –
To 1 D° 4/	–„ 4 –

To 1 hand-bill 25/	1,,	5.	–
To a Instrument for making Tumblers 30/ . . .	1,,	10	–
To 1 Slite Saw 12/	,,	12	–
To 1 Three Square file 5/	,,	5	–
To 1 Dº 2/6d		2	6
To 1 Round file 2/		2	–
	£4,,	7,,	6

we hose names are hereafter written do attest that the abovsd Warren was ordered by the Genneral peperiel with The Tooles a bovementiconed to assist in mending ye armes as an armerir and thet ye tooles above sd belonging to ye Sd. Warren was wore out and Lost in the Service of the provience aforesd

Atests { John Bell armorer
Edmond Bemis armerr

Suffolk ss Boston Octobr 14 1745

Walter Warren appearing made Oath that the within Accot is just & true & that the within tooles was used & delivered to the within named John Bell & that they were valued at the within prices being in the whole four pounds seven shillings & six pence old Tenor

Jura coramm Habijah Savage J Pac

[4–30]

[*Atkinson to Thomlinson, recommending Captain Joseph Sherburne.*]

Portsmouth 13th November 1746

Sr Capt Joseph Sherburne who Incloses this together with Admiral Warrens & General Pepperrells Certificates of his good Behaviour, while at the Siege & in the City of Louisbourg, hoping your friendship may Obtain him some Reward for his Eminent Service done, he has desired me to Mention to you that it would be gratefull to Every body here could he Obtain a recompence from the Ordnance &c —

He Intended to go for England but being so usefull a man is Detained here on the Canada Expedition as Commander of one of our Armed Vessells & is now Bound to Annapolis to the assistance of that Garrison with a Company of the Canada Soldiers fitted out by this Government, I hope as the Admiral will be at home he will Easily get Something, I know he will Assist him as he knows how Advantagious his Services were

I am Sir yr Obliged hble Servt
Theodore Atkinson

To John Thomlinson Esqr
Copy

[4–30] [*General Pepperrell's Orders to Captain Sherburne.*]

To Capt Joseph Sherburne

Seal I do hereby Authorize and require you to take upon you the Command of the Cannon at the Advanced Battery, and to Order and Direct Concerning them, as you shall Judge most for the Annoyance of the Enemy for which this Shall be your Sufficient Warrant and all Officers under me are to pay due regard hereto —

Given under my hand & Seal at the Camp before Louisbourg the 17th day of May 1745 —

Copy Wm Pepperrell

[4–30] [*Warren's and Pepperrell's Certificate.*]

Whereas during the Siege of Louisbourg Captain Joseph Sherburne was a very Active Officer, & had the Command of the Artillery at one of the Batterys, & on the Surrender of the City, We thought fit to Constitute & Appoint the said Capt Joseph Sherburne, Store keeper to his Majesties Office of Ordnance within the Garrison for the time being

These are therefore to Certify the Right Honourable, the Lieutenant General, and the rest of the Principal Officers of his Majesties Ordnance, that in Pursuance of such Appointments and Directions, the said Capt Joseph Sherburne, Acted in the above-mentioned Capacities, & has so Continued to do to this time, with the Strictest Fidelity, Industry, & Care, and to our entire Satisfaction, And We beg Leave to recommend him to the Honble Board of Ordnance to receive such a Recompence as to them Shall Seem good

Louisbourg 31st May 1746 P Warren

Copy Wm Pepperrell

[4–31]

[Petition of Richard Brewster, of Portsmouth, soldier in the Louisbourg expedition. He stated that he was at the storming of the "Island Battery," where he lost his equipments, for which he asked pay and was allowed £0. 16. 9. — Ed.]

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 243.]

Boston, Sep^{t} 13, 1746.

Sir — I here inclose you copies of Mr. Mascarene's letters to me, the particulars of wch wth the imminent danger of Nova Scotia are confirm'd by other letters from officers of good judgm^{t} there, and the acc^{ts} mention'd in my message to the Assembly, a copy of wch I also inclose with one of their answers to me to accompany Mr. Warren's and my joint Letter to you, for your Excellency's Information in the several steps I have taken, and design to take in this affair: I mention'd this matter to the Assembly not that I think, strictly considering it, I wanted their consent to my sending part of the King's troops in this Province rais'd for the Expedition agst Canada, for the protection of Nova Scotia; But as I had before led the Assembly myself into an Expectation of sending all the Massachusetts levies upon the Expedition agst Crown Point (which they had set their hearts upon) and they had been at a very great Expence in the Bounty given by 'em for encouragement of men to Inlist, and afterwards in billeting 'em, and providing transports, upon the view of their being employed in a different service, I thought it but reasonable and what would most likely prevent any obstructions in his Maj^{tys} Service, to say to the Assembly what I did in my inclos'd message to 'em; and you will perceive y^{t} their answer is fram'd to avoid the charge of Transports and other vessels, and provisions, whilst the Troops shall be employ'd in this service; wch they therefore affect to observe concerns his Maj^{tys} Interest greatly, without mentioning their own, tho' most immediately and deeply concern'd in the fate of Nova Scotia: On the other hand indeed they take upon themselves several articles of expense in the Crown Point Expedition as what they look on more immediately the affair of the Colonies. As to my taking upon myself the care of furnishing Transports and provisions for this service, I hope I shall be at no difficulty to find persons here, who will readily take my bills upon the Governm^{t} at their own risque, as I should think you might in your Governm^{t} if your own Assembly would take that Expence upon 'em. Thus I have mention'd every thing I can think of in this affair necessary for your information as to what I have done in it, and propose to do; and send you the inclos'd papers to make use of or not, as you shall judge most for his Majesty's service; and it seems to me y^{t} it never imported us more since our first entring into our respective Governm^{ts} to exert ourselves in any part of our duty y^{n} it does in this. Your Excellency in particular as Governour of New Hampshire & Surveyor General of his Maj^{tys} Woods has a very

great charge under y^r^ care, and I am firmly persuaded, your Zeal for his Maj^tys^ service is equal to it.

I take very kindly your Excellency's condolence upon the death of my wife, in whom I have lost a very dear companion and most valuable friend, and I think I may say as great a treasure of good qualities and happiness, as a woman can bring to her Husband. I hope I shall make a right use of this afflicting visitation of the Divine Providence to my family. Indeed it seems remarkable on occasion of Expeditions, I having in the beginning of that ag^st^ Cape Breton lost my daughter Bollan : whom I esteem'd a very valuable part of my family, and now in the beginning of this ag^st^ Canada, (wch I believe I may have been something instrumental in by my letters to the ministry) the partner of my bed.

As to yourself, Sir, I wish you an uninterrupted enjoym^t^ of the comforts of your family upon all occurrences of life being with much truth and respect

Your Excellency's most Obed^t^ Humble servant

W. SHIRLEY.

His Exc^y^ Governour Wentworth.

P. S. I am very uneasy ab^t^ the acc^t^ brought by Capt Norton now with you of 31 sail of Topsail Vessels being seen standing towards the Cape Sable shoar, as we have no English vessell yet arrived here.

[4–33] [*Petition from Several Louisbourg Soldiers.*]

To his Excellency Benning Wentworth Esqr Governour and Commander in Chief in And Over his Majestys Province of New Hamps^e^ The Honble his Majestys Councill And House of Representatives in General Assembly Conven'd Novr the 25th 1746

Humbly Shew Your Petitioners

That in the Reinforcement for Louisbourgh in Which we Went under the Command of Capt Jonathan Prescutt We Each of Us Provided Our Selves with a Gun at Our Own Expence And never Receiv'd Any on the Province Account of Capt Prescutt or the Committee of Warr Or Any other Person Notwithstanding which when the Muster Roll was made up we were Each of Us thro' some Mistake Charged with a Gun of fifty shillings price And the same has been Deducted Out of Our Wages And Tho' we have taken much pains to find Out the Mistake And have it Rectified Yet we Cannot Obtain it — We therefore Pray your Excellency & Honours that the affair may be Inquired into And that Justice may be Done us that we

may not be Obliged to pay for Guns which we never Receiv'd And Your Petitioners As in Duty Bound Shall Ever pray &c :

Bradbury Green
benamin Cram
Joshua Gilman
Benjamin Tilton
Nathan Rowe
Daniel ward

Hannah Moulton widow of Simon Moulton Deceas'd Humbly Shews That her said Husband was also in Capt Prescutts Company in the Reinforcement And provided himself with a Gun : But is Charged with one as the above Petitioners are And therefore prays that her Case may be Considered And She Reliev'd with the Others

Hannah Moulton

Province of New Hampshir } November ye 21st 1746 then Leut Bradbury Green Sargnt Benjamin Cram Sargnt Benjamin Tilton Sargnt Joshua Gilman and Nathan Row personaly appearing made oath that when they went in ye Reinforcement for Leuisburgh under Capt Jona prescut thay neither of them Receivd a Gun on ye province Account of Capt prescut or ye Comte of warr or any person whatsoever But provided themselves with Guns at their own Expence — Sworn Before me

Ichabod Robie } Justice of peace

province of New Hampshir } November ye 24th 1746 then Daniel Ward personaly appearing made oath yt when he went in ye Reinforcement for Luisburgh under Capt Jonathan prescut he neither Recevd a Gun on ye province accompt of Capt prescut or ye Comte of warr or any person whatsoever But provided himself with a Gun on his own Expence Sworn Before me

Ichabod Robie } Justice of peace

Provce of New Hampshire } In the House of Representatives 27th May 1747

Voted — That each of ye within Petitioners be allow'd fifty Shills in full Satisfaction for ye within Petition to be pd out of ye money in ye publick Treasury for ye Use of ye Expedition agt Louisbourg

D Peirce Ck

Eodm Die In Council read & Concurrd

Theodr Atkinson Sery

Eodm Die Assented to

B Wentworth

[4–34] [*Widow Sarah Jackson's Petition*, 1747.]

To His Excellency Benning Wentworth Esqr Governor and Commander in Chief in & over his majestys Province of New Hampshire, The Honorable his Majestys Council and House of Representatives in General assembly conven'd the Second Day of December 1746 —

The Memorial of Sarah Jackson of Portsmouth in the Province of New Hamp^{r} Widow most humbly shews That Your Memorialists husband Ebenezer Jackson was one of the Voluntiers in the Pay of this Province at the siege of Louisbourg That about a month before the surrender thereof to the English, her said husband receivd a Wound, of which he dyed in four or five days, That your memorialist has been Since bro't into very difficult circumstances and is at this time in Such Circumstances by reason of the Scarceness and dearness of Bread corn and firewood and of many other of the necessarys of Life, besides that She now has and for some time past has had a Sick child — Wherefore Your Memorialist prays your Excellency and Honours Consideration of the Premises — and that you will in your great Wisdom and Goodness grant her Some Relief —

Sarah Jackson

In Council Decem 3 1746 read & ordred to be Sent to the Honble House Theod Atkinson Se^{ry}

Prov^{e} of New Hampsh^{r} } In the House of Representatives May 27th 1747
Voted That this Petition be dismissed — D Peirce Ck

[4–35] [*King's Instructions to Governor Wentworth*, 1747.]

His Majesties 66th Instruction to Govr Wentworth

66 And Whereas there is no Power given you by your Comission to Execute Martial Law in Time of Peace upon Soldiers in Pay Yet nevertheless it may be necessary that Some care be taken for the keeping of Good Discipline amongst those that his Maj^{ty} may at Any Time think fit to Send into the S^{d} Province (which may Properly be Provided for by the Legislative Power of the Same) you are therefore to recomend unto the General Assembly of S^{d} Province that (if not already Don) they Prepare Such Act or Law for the Punishment of Mutiny Desertions & false Musters and for the Better Preserveing of

good Discipline amongst the s[d] Soldiers as may best answer those Ends —

Copy Examined ℔ Theodore Atkinson Sec[ry]

[Endorsed] Copy of His Majesty's 66[th] Instruction to Gov. Wentworth delivered the Assembly Jan. 23, 1746–7.

[See Vol. V., p. 857. — Ed.]

[4–36] [*Mark Hunking Wentworth's Bill.*]

1746	Province of New Hampshire		Dr
	To 2 padd Locks delivered the Governour 9/ .	£ „ 18„	–
	32 Ash handspikes for use of Cumberland Fort 2/6	4	—
	To use of my Store at Point Graves for Ordinance Stores out of Cap[t] Hammond from June 23[d] 1745 to Septem[r] 24[th] 1746 is 15 m[o] & 1 day @ 50/ .	37„ 12	–
	1 C Bricks for forge at New Castle . . .	„ 12	–

Portsmouth Decem[r] 11[th] 1746 —

Errors Excepted for My Master M[r] Mark H[g] Wentworth

℔ Joseph Langdon j[r]

Sworn before y[e] House by Jos Langdon

Prov[e] of New Hampshire } In the House of Representatives 27[th] May 1747

Voted — That there be allow'd ten Pounds ten Shillings & Six Pence in full of this Account to be pd out of y[e] money in the publick Treasury — D Peirce Recd[r]

May 30[th] 1747 read & Concurrd Theod[r] Atkinson Se[ry]

Consented to B Wentworth

[*Letter of Captain Phineas Stevens to Governor Shirley.*]

[Belknap Papers, Vol. II., p. 244.]

May it pleas your Excelency — I Rec[d] a Letter from the Secr[ty] Where in I am desired by the first opertunity to Lett your Excelency know what i Judge to be the Distance betwixt St. Francis in Cannada and Winnepesocket Ponds, and upon what point St. Francis Bares

from s[d] Ponds Winnipesocket Ponds I never saw and so am not Capabel of making so good a judgment as otherwise I might have don. But according to the best Information I have had from the Indians I judge it to be near 200 Miles Distant from s[d] Ponds, and as for the point it bears I think it must be one or two points to the Westward of the North. But I am humbly of oppinion that those ponds are Quite out of the Rode that Leads to St. Francis

I am your Excelency's most obedient Se[t]

Phineas Stevens.

Rutland, Jan[y] 27, 1746 [1747 N. S.]

[Endorsed] Capt. Stephens Acc[t] of the Course & distance to St. Francis. 1746.

[Superscribed] For His Excelency William Shireley Esq[r] in Boston

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[*William Johnson to John H. Lydias, Crown Point.*]

[Belknap Papers, Vol. II., p. 245.]

Mount Johnson January 26, 1746–7.

Sir — By yours rec[d] last night by Brant I find you intend shortly for Boston, and as I cannot have the pleasure of seeing you before you sett off, I wish you a prosperous Journey & safe return, two days ago I rec[d] a Letter from Mr. Clinton telling me the forwardness of the New England Troops & desiring me to prepare as many Indian Warriors as possible to assist our Forces in the Reduction of Crown Point which I heartily wish to see; and should not make the least doubt of it, were our people so active as our neighbors the New Englanders, who daily sett us good examples had we the grace to follow it, I have now sent several of my officers among the upper nations to prepare them, but have fixed on no certain time fearing a disappointment. I have had the two next Castles Assembled yesterday, and do assure you that nothing could give me more pleasure than to see the willingness they shewed of Joining us whenever required, the sooner they say, the better, for they are almost in despair, or out of patience, so long waiting. I make not the least doubt of bringing as many in the field as will be sufficient for that Enterprise, I only wish our Forces were all so ready & willing. I am much hurry'd, so have only time to assure you of my best wishes for you, Mrs. Lydius &c. And am, Sir, your most humble serv[t]

Wm. Johnson.

To Mr. John H. Lydius, at Albany.

Copy exam[d] Pr. J. Willard, Sec[y].

[*Action of Massachusetts relative to Crown Point Expedition.*]

[Belknap Papers, Vol. II., p. 248.]

May it please your Excellency

The two Houses have before them your Excellency's Message of this Day, in which you are pleased to desire to know their sentiments respecting an attempt against Crown Point, which message they have maturely considered and deliberated upon.

It appears by the advices which your Excellency has received and the Representations which have been made by Mr. Lydius, that the Troops rais'd in the Southern Governments are generally in good health and spirits, and that there is at this time an uncommon disposition in the Indians of the Six Nations (who have heretofore been wavering) to engage against the French enemy, and it may be of very ill consequence if this disposition be not cultivated & Improved.

A sufficient quantity of Provisions & stores for the Troops of this Province are now lying ready at Albany, where they have been transported at Great Expence, and as the Forces raised in the several governments are not like to be dismiss'd, it makes but little difference either to his Majesty in their pay, or to the several governments in case they continue their subsistince, whether they proceed or are suffered to lye still ; — your Excellency will please to add to these considerations, That altho' the season is far advanced, yet Providence by continuing the great cold & Frost necessary for the undertaking, seem in this respect to favour & smile on us, and notwithstanding it has a very unpleasant aspect that the Government of Connecticutt who have formerly shown themselves ready & Zealous to forward his Majesty's service, should now discover a great backwardness to promote this design, so as to make their assistance doubtfull, yet upon the whole both Houses are of opinion that the Troops cannot be better improved than in the proposed attempt, which has a great prospect of advancing his Majesty's Interest, and is employing them in the Immediate service for which they were raised ; for if the Almighty should grant success, the Reduction of Canada, if it shall be his Majesty's pleasure to give his orders for an Expedition the next year, must be very much facilitated.

In the House of Repr^vs^ Feb. 6, 1746 —

Ordered That Mr. Speaker, Mr. Welles, Mr. Sparhawk, Col. Choat & Col. Heath with such as the Honble Board shall appoint be a Committee to wait upon his Excellency with the foregoing Message.

Sent up for concurrence T. Hutchinson, Spk^r^

In Council Feby 6, 1746 —

Read & Concurr'd, & Sir William Pepperall, Josiah Willard, Jacob Wendell, James Bowdoin & Andrew Oliver, Esqrs. are joined in the affair. J. Willard, Sec^{y}

Copy Examin'd J. Willard, Sec^{y}

[Indorsed] Com^{tee} of both Houses of the Mass' Gov^{rt} answer to Govr Shirley's Message on the Expedition, agst Crown Point Fort — Feb. 6th 1746 —

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 249.]

Boston, Feby 7, 1746 —

Sir — By my last advices from Albany I find the condition of the Troops of the Southern Colonies now on Hudson's River as to their state of health & numbers & the strong disposition of the Indians of the Six Nations to join with us in the attempt against Crown Point & the Danger of utterly losing those nations & their falling off to the French (which will be of the most fatal consequence to all the Northern English Colonies) to be such, that I am now fixed in my Resolution to push forward this Enterprise with all imaginable diligence; and as the Government of Connecticut have declined to join their Forces with ours, which will much lessen the number we expected, I must earnestly desire your Excellency to send forward to our Rendezvous on Hudson's River as many of the Troops of your Governm^{t} in his Maj^{tys} Pay as you can furnish out for this service (in case you have laid aside your design agst St. Francois) the Success of this Enterprise being of the utmost Importance, I trust you will do every thing in your Power to promote it. You have herwith inclosed a Copy of Mr Johnson's Letter to Mr. Lydius & of the advice of our Assembly to me in this affair.

I am, Sir, your Excellency's most obedient Humble Servant

W. Shirley

His Exc^{y} Benning Wentworth, Esq.

[*Shirley to Wentworth.*]

[Ibid.]

Boston, Feby 8, 1746 —

Sir — Before I had receiv'd these last advices from New York I was going to inclose to you the Resolve of the Governm^{t} of Connecti-

cutt and Govr Law's Letter (wch indeed I now do) and to acquaint you thereupon y^{t} I had lay'd aside the thoughts of making an attempt upon Crown Point; but upon receiving the last advices, this affair has taken a new turn; and I must own y^{t} upon scanning every circumstance of it, and all the probable Events I am clearly of opinion y^{t} this Enterprise is the most adviseable scheme for his Maj^{tys} Service and the good of the Colonies, that can be attempted to be carryed into Execution at this juncture; and I am perswaded, if the winter holds on according to the present prospect, we shall most probably succeed; especially if we could be assisted with 500 men from your Excellency, in case of your not proceeding to St. Francois, even if it was to be attempted only by the Massachusetts and New Hampshire Levies.

I inclose you Captn Stephen's answer to me concerning the road to St. Francois &c. and I find it is Col. Stoddard's and other Hampshire Gentlemen's opinions y^{t} you will not find your way to St. Francois unless you proceed by way of Connecticut river.

I am in haste, Sir,

Your Excellency's most obedient Humble servant

W. Shirley.

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 250.]

Boston February 9, 1746—

Sir — I have this morning receiv'd advices from Lieutenant Govenour Mascarine, That Monsr Ramsay who was posted at Menis with about 600 Canadeans & Indians, is upon the news of the arrival of our re-inforcement, retired from thence to Schiegnecto, and Col^{o} Noble with a Body of five hundred men consisting principally of some of those Troops I sent from hence (with the rem^{r} of yours) is now at Menis: But the Reports of the numbers of the Enemy (being represented as much superiour to Col^{o} Noble) makes him cautious of pursuing them without some further re-inforcement. I am inform'd that the Enemy will not be able to get off before April; and I hope our Troops will be strong enough to hinder their Retreat 'till the English can have some further Strength from these Colonies. It appears to me by what advices I have had that if it had not been for the misfortune that happen'd to the Rhode Island Companies & to my last Company bound to Annapolis who were cast away at Mont Desert, and above one half of them drown'd & frozen, and the New Hamp-

shire Company under Capt. Mitchell (instead of returning to Annapolis from St. John's according to order) going back to New Hampshire, our Troops would have either entirely drove the French Forces into the woods where they must perish if they stay long, or have made them Prisoners of war ; and as your Excellency is sensible this is a matter of the utmost Importance to the safety of Nova Scotia, & for securing our Conquest of Cape Breton, and the season is advancing when the Navigation in those Parts will be much safer than it has been in the months past, I must earnestly desire your Excellency in case you find any difficulty of sending your Troops in the King's Pay to Crown Point or St. Francois, you would not fail of sending them as soon as they may be got ready to Annapolis Royal for this necessary Service : And I must urge this with the greater Importunity because (having already upwards of seven hundred men in Nova Scotia) I am not able to spare a man more, the Remainder of our Troops being absolutely necessary to be employed for the Reduction of Crown Point, to which place I have given orders they should march with all possible Expedition. I shall also press the Government of Rhode Island to order the Companies raised in that Government (for the Expedition) to Annapolis. If we can make ourselves strong enough, I hope your soldiers will be detained but a short time on this service : However I shall continue the Massachusetts Troops there in hopes of a Reinforcement from you : And I must desire (which I hope I may rely upon) that at all Events whether you send any Troops to St. Francois or not, your Excellency will not fail to send to Annapolis at least that Company, which Capt Mitchell by a very gross breach of his orders brought back to Portsmouth ; in which he seems to every person that has heard of it to have deserted his Duty in a bad manner. . . . And I should think, tho' as your Excellency observes, the Blunder with regard to the French, snow is not to be remedied, yet as the other part of his and Captain Furneys misbehaviour may, by sending 'em to Annapolis again, that you will be of opinion it will be greatly for his Majesty's service in all respects (indeed it may be so beyond Expression with respect to giving a finishing stroke for the security of Nova Scotia by taking Monsieur Ramsay in the Toil we have now got him in, or perhaps securing that Province from the Danger of a superiour Force in the Enemy) to send that Company at least and arm'd vessel to Annapolis forthwith — but I hope indeed you will not fail sending two or three Companies. I don't think your Excellency need regard the Expence of it as doubtless you may be very secure in finding Provisions and Transports at the Expence of the Crown for the Troops you send to Annapolis, which I do ; and you have a fine opportunity now put into your hand of employing

your Troops most beneficially and acceptably to his Majᵗʸ, and I intreat you to consider of it thoroughly. Had I not been so ingaged as I am in the attempt against Crown Point before I had receiv'd these advices, I would have broke through every thing to have secur'd this Point in Nova Scotia.

I desire to hear from your Excellency without fail by the return of the Post, and Am with the greatest Respect,

Sir, Your Excellency's most Obedient Humble Servant

W. SHIRLEY.

His Excʸ Benning Wentworth, Esq.

P. S. Tho' the sooner your Troops arrive at Annapolis the better, yet if they get there by the second or beginning of the third week in March, it will do; and the best way will be for 'em after just calling at Annapolis to go up the Bay of Fundy, and destroy the French shipping at Schiegnecto, wᶜʰ may be done without hazard or Difficulty: and I will endeavour to cut off the Enemy's getting off by way of Vert (¹) by engaging Mr. Knowles to equip a proper force there. I once more entreat you not to fail. you are secure in doing any thing in this branch of the service at the expence of the Crown: It is of so great Importance to his Majᵗʸ and the Nation in general as well as to these Colonies.

[(¹) Vert Bay, or Green Bay, between Nova Scotia and New Brunswick on the northern coast; longitude 63° 54′ W.; latitude 46° N. — ED.]

[*Thomlinson to Atkinson. Copy* ℔ *Snelling.*]

[Belknap Papers, Vol. I., p. 137.]

London 24ᵗʰ Febʸ 1746/7

Theodore Atkinson Esqʳ

Sir — I am now to Acknowledge your favour of 13ᵗʰ Novʳ and sent your diary to Mʳ Jones & on yᵉ 19ᵗʰ Inst he paid me £172. 5. 6 for your Accoᵗ and it accordingly has Credit for the same I have sent Mʳ Sherbourns papers to the board of Ordnance but whether or no anything can be done for him I Cannot say. I Observe what you say on Government affairs and just as I apprehended it so it has happened. His Majestys in Concill has agreed to have all the Accoᵗˢ of the severall provinces of New England audited by the Lords Comʳˢ for Trade and plantations and the Secretary of War in order to be

provided for & paid this Session of Parliment & the Agents for the Massachusetts, Connecticut & Rhoad Island have laid their Accoᵗˢ before them and I suppose will soon be finish'd & paid at the same time how much like a fool I must look that has no Accᵒᵗ of any kind to shew so I Suppose the Consequence will be the other provinces will be paid & you Excluded or at least have to go thro' the whole trouble and Charge of anew selectation the next Session of Parliament and then not succeed and whose fault will it be for if I am not furnished with proper & necessary materials I may attend indeed with my fingers in my mouth but what can that avail I Can only be sorry for you & asham'd for myself I am sure I have given you Notice enough for this year past & told you all along what I feard would be the Consequence I am

Sir Your Hum Servᵗ

John Thomlinson

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 251.]

Boston, March 10, 1746 —

Sir — I have but just time before the Post goes, to acknowledge the receipt of your Excellency's favour by the return of my Express; and to inclose a copy of my last advices from Govʳ Mascarene, hoping yᵗ I may depend upon your Excellency's complying with his proposal of your sparing the New Hampshire Brig now detain'd at Annapolis for want of anchors, and yᵗ you will send anchors to her as soon as possible, yᵗ she may be employ'd in the service there together wᵗʰ the detachment of Capt. Sherburne's men now there. This seems in your Excellencys power independent of every body; and I shall despair of the security of Nova Scotia this Spring, if this assistance towards it is not granted. By my last Letter from Mr. Knowles, I find it is absolutely out of his power to send any vessell to Bay Verte in time, so yᵗ I shall be under a necessity, I believe, of fitting out a sufficient strength by Sea from hence for that part of the Service, wᶜʰ is a material one indeed; and this I am absolutely determined to do, even at the Expence of the Crown (if it can't be done otherwise by me) provided your Excellency will send your other Brig (I think it is) now at Piscataqua, to assist. If these two things are done without delay, tho' your Excellency should meet with difficulties in every other respect, we might possibly make a shift.

I doubt not of finding merchᵗˢ here to take your Excellency's publick

bills for any sum you shall not be able to procure in your own Governm^{t}, and hope you will not spare your assistance on acc^{t} of your being oblig'd to draw bills to defray the expense.

I have not time to add more now y^{n} y^{t} I am wth great regard,

Sir, Your Excellency's most obedient Humble Servt

W. SHIRLEY

Be pleas'd to let me hear from your Exc^{y} soon as you shall from me.

Every thing depends upon dispatch, wch if we don't use, we shall be too late.

His Exc^{y} Govr Wentworth.

[4-38]

[*Major Thomas Davis, relative to Government Stores at Winnipesaukee Lake*, 1747.]

May Please your Excellency

Rochester April 18th 1747

Pursuant to your orders I came here the 15th ins^{t} — I have to the utmost endeavoured to discover the persons who had been to the Pond, and Loaded themselves there with Government's Stores, Being in the way & waiting for my men to come to me here, who are not yet got here, being but 9 of my own men and thirteen pressed With some that return'd from the Pond are found Possess^{d} of Kettles & Axes the Names of Sund^{ry} men enclos'd are those who have been at the Pond, Which I enclose your Excellency that they may be bro^{t} to Justice, these are considirable of the number that Went to the Pond, but wanting in the whole — As I have no reason but to think your Excellency will take proper notice of it, It is my Opinion it would be most proper to call them to Acco^{t} here, than to bring them out of a Frontier place ; I have the melancholy acco^{t} of four men being killed at Sanco & Dunston Tuesday and Wednesday Last — I think proper to Scout about Rochester 'till Monday when I hope to have more men to march with me to the Pond — Interim — With Duty —

Your Excellencys

Most Obed^{t}

& Most Humble Servt

Thos Davis

P. S the Last men that came from the Pond heard the Discharge of 11 Guns Thursday Last I enquired and dont hear of any Hunter's

being out — I Would Begg your Excellency to Let Col° Atkinson come to Examin these men

Thom^{s} Hamock	Jonathan Hodsdon	John Hodsdon
Stephen Berry	Solomon Perkins	McCrelis
Richard Wentworth	Benjamin Perkins	Edwd Burrough's
John Hamock	James Bussell	Samuel Twambley
Peter Wallingford	Joseph Evens	John Leighton
Solomon Tibbet's	Paul Nute	John Blagdon
William Tibbets	James Nute	John Blagdon
Benjamin Tibbet's	Spencer Allen	Stephen Harford
Thomas Kenny	Isaac Bussell	Joshua Foss
Nathaniel Tibbets	Jonathan Twambley	James Lock
John Speering	John Mills	Ithamer Seavey
Stephen Tibbets	Noah Cross	Abraham Pearl
Ephraim Berry	John Marden	Benj^{a} Richards
James Place	Peter Cook	Diamond Pearl
Jonathan Young	Abraham Cook	Samuel Merry
John Place	Daniel Cook	Benjamin Merry

[The foregoing is the letter referred to in Vol. V., p. 490, as "not now to be found." See also p. 865, same volume. — Ed.]

[4-39] [*Soldiers' Petition for further Allowance*, 1747.]

To His Excellency Benning Wentworth Esq Capt Gen^{ll} & Govern^{r} & Commander in Chief in & over his Majesties Prov : of New Hamps : in New England, And to the Honble his Majesties Council & House of Representatives in Gen^{ll} Court Assembled — March ye day, 1747

The Petition of the Subscribers (being Soldiers in the Service of the Government, under Capt Daniel Ladd) Humbly Sheweth That Whereas your Petitioners haveing Served our Country as above^{sd} And have receiv'd pay, but not to our Contentment, there being as yet (in our Humble Opinion) Considerable due to us According to the Acts of this Honble Court viz : Some wages, & some Billeting money or Rum money Therefore Wee Humbly pray that your Excellency & Hon^{rs} would be pleasd to Consider of our Case & allow us our reasonable & Just Due of Wages & Billeting money according to our time of Service and According to the Acts of this Honble Court, & So y^{r} Petitioners as in duty Bound Shall ever pray &c

John Griffin was in the Service Three months Excepting 9 days Sick And as soon as I was able went Immediately to my duty again,

& have receivd 12 : 4 : 0 Billeting money & 14 : 11 : 4 wages old tenor

Orlando Carter was in the Service Two months & Three days have received £8 : 6*s* : 0*d* Billeting money & £12 : 17*s* : 00*d* wages — old tenor

Israel Clifford was in the Service three months, Excepting 9 days Sick and as soon as was able went Immediately to my Captain and Duty again I have Receved 12 : 12 : 0 old tenor Billiting money and no wages.

John Griffin
Orlando Carter
Israel Clifford

[4–40]

[*Petition from the Wives of some Soldiers who were taken Prisoners from the Sloop Warren.*]

To His Excellency Benning Wentworth Esqr Captain General Governor & Commander in Chief in & Over His Majesty's Province of New Hampshire the Honble His Majesty's Council & House of Representatives for Said Province in General Assembly Convened Apr 1st 1747.

The Humble Petition of Ann Brotton Sarah Tucker and Sarah Meserve Shews.

That your Petitioners were very nearly Affected by and Concerned in the Loss of those Men Lately belonging to the Sloop Warren under the Command of Capt Mitchell One having a Son & the other two their Husbands among the Captives — That your Petitioners Families (which are Chargeable) depended on their Respective Relatives aforesaid for their Subsistence and their Wages in the Service was the only Means of the Support of themselves & families —

That they had been a Considerable time in the Service before they were taken for which the Wages Remains due and as it is Yet uncertain what is become of them whether living or dead and if living are in a State of Captivity Occasion'd by their Entering into the Public Service it Seems to your Petitioners but just & Equal that their Wages Should be Continued till their Return Or if they are dead till there shall be certain News thereof, And as Your Petitioners families are in very Necessitous Circumstances They Humbly Pray that the Wages of their Said Respective Relatives may be paid to this time that they may be Continued in pay till their Return if living or till the News of their Death and in that Case that some Consideration

may be had of the unhappy loss to your Petitioners & some Gratuity or allowance made to them on that Account — Or that you would Grant them Such Relief under their Afflictive Circumstances as in your Great Wisdom & Goodness you See Meet & your Petitioners as in Duty bound shall Ever Pray &c

her mark
Ann G Brauton
Sarah Tucker
Sarah Meserve

[See next paper. — Ed.]

[4-41] [*Lieutenant Eliphalet Daniels, Sloop Warren.*]

To His Excellency Benning Wentworth Esqr Govornour and Commander in Chief, in and over his Majesties Province of Newhampshire in New England and to the Honour^{ble} Council for Said Province & House of Representatives now Conven'd in General Assembly —

Liu^{t} Eliphalet Daniels humbly Sheweth —

That he was in the Province Service under the Command of Capt John Fernald in the Sloop Warren Sent to Annapolis in Nova Scotia last fall, and being on Duty at St John River was commanded to take Some hands with him & go down ye River to a Snow that came into Said River. Some time after them (or to See what She was) and in atempting the Same when the Boat came within faire musket Shot, the Said Snow fired Severl Volleys on them whereby your Suppliant was wounded in the Head with a Musket, and Several holes thro the Boat (Som of which they plug'd up with thowel Pins) the Boat being almost full of Water they got to the Snow and in getting into Said Vessell your Suppliant put his Right Shoulder out and tho' Several Surgeons has tryed to Set it, Yet it remains out to this day whereby your Supliant is rendered incapable of Subssisting himself, and also that he has been at great Expence in England

Your humble Petitioner most humbly Prays yor Excellency & the Rest of the Honble General Court, to consider him, and Something as yor Excellency & Hon^{rs} Shall See meet — and your Petitioner as in Duty bound Shall Ever Pray &c

May 28th 1747 Eliphalet Daniel

In Council June 2^{d} 1747 — read & Sent down to the Honble House
Theodore Atkinson Se^{ry}

[4-42] [*Petition of Samuel Drown, Wounded Soldier.*]

Prov. of Newhampr } may ye 28th 1747
To the Honorable House of Representatives Conven'd in General assemble —

the humble Petition of Samuel Drowns Latly in ye Service of this province in that part of the Scout at Rochester (which was Sent from Durham) & then & there wounded by ye Indian Enemy & now Extrem Ill at portsmo & being under Low Sircumstances Borth of Body & purse & being wounded in the province Service Beg you would make Some provision for me to prevent my Soffering & for my Comfortable Sorport & in So Doing your humble petetion Shall ever pray

Samuel Drown

Provce of New Hampshire } In the House of Representatives 28th may 1747 Voted — That the Petitioner be taken Care of at the Expence of ye Province til further order that Eleazr Russell Esqr be of this House to join such as may be appointed by ye Honbe Council to take proper & suitable Care of him 'til further order in ye most frugal manner with Power to draw Money out of ye Treasury to defray ye Expence thereof to be accounted for to the General Assembly —

D Peirce Clk

In Council Eodm Die read & Concurrd & Richd Wibird Esq added to the Comittee on the Part of the board —

Theodr Atkinson Secry

In Council Eodem Die Consented to B Wentworth

[4-43] [*Bill for Nursing Samuel Drown.*]

The Province of New hampshire Debtor To Elizabeth Drown for Nursing of Saml Drown in ye year 1747 When he was wounded by the Enemy and Carred Down to Portsmouth twelve Weeks) and mary Drown attended him at the Same time and Place Eight weeks we Expect the Common wags that Is allowed for nurssing

Elizaeth drown
Mary × Drown
her mark

Province of Newhampshire } May ye 14th 1748 Then The above said Elizabeth Drown and Mary Drown Made oath to the Truth of the above acompt by them sined Coram Saml Smith Justt of Peacis

Prov^e of New Hampshire } In the House of Represen^vs 19th May 1748 Voted That Eliz^th Drown be allow'd twenty Shillings & Mary Drown ten Shillings in full of ye within Account to be pd out of ye money in ye publick Treasury D Peirce Clk

In Council May 25th 1748 read & Concurrd
Theodore Atkinson Se^ry

Eodem Die Consented to B Wentworth

[4–45]

[*Petition from Lieutenant John Flagg, of Portsmouth, Louisbourg Soldier,* 1747.]

To His Excellency Benning Wentworth Esquire Governour and Commander in Chief in and over His Majesty's Province of New Hampshire,

The Honourable His Majesty's Council, And House of Representatives in General Court convened June the first 1747: The Petition of John Flagg of Portsmouth in s^d Province Gent^n Humbly Sheweth,

That in the late Expedition against Louisbourg your Petitioner originally went down to that Siege in the Capacity of a Lieutenant under the Command of the Honourable Coll^o Samuel Moore, and in the Company whereof William Seaward was Captain, that your Petitioner did then and there faithfully perform, the dutys of his Office and abode there all the winter and till the Eighteenth day of June following on which day he returned home — That from The Eighteenth day of October the Care and charge of the men that remaind there belonging to the Companys of Capt Seaward, Capt Whidden & Capt John Furnall, devolved upon him your Petitioner the aforementioned Officers leaving Louisbourg and returning home to New England; That the Soldiers of the s^d Companys were on the Eighteenth day of October put under his care and continued so till the Eighteenth day of June following That your Petitioner did regulate them & Exercise them as in the Capacity of a Captain during the Term afores^d Your Petitioner therfore Humbly prays this Honourable Court to take the Premises under Consideration and allow him such wages as were allowed to officers in that Station from the Eighteenth day of October to the Eighteeenth day of June 1746 during which Term your Petitioner performed in the Station of chief Commander over the

men remaining out of those three companys afore mentioned, And your Petitioner as in duty bound shall ever pray

John Flagg

Portsm° June 1st 1747

In Council June 2d 1747 read & ordred to be Sent down to the Honble House — Theodore Atkinson Secry

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[4–46]

[Petition of Charles Hight, of Portsmouth, sail-maker. He wanted pay for a gundelo which was impressed in the government service. It was referred to the committee of war. — Ed.]

[4–47]

[Petition of Stephen Greenleaf and James Stoodly, "Late owners of the Sloop Speedwell," which was chartered to carry prisoners to France. They wanted an allowance for depreciation of the paper money with which they were paid. — Ed.]

[*Theodore Atkinson to Thomas Jones.*]

[Belknap Papers, Vol. I., p. 138.]

June 5th 1747

Mr Jones — ℔ Capt Gaiton & one other Ship

I have none of your ffavours Since 4th Decem 1745 which makes me Imagine my Diary for that year might fall into the Enemies hands tho' I Sent Duplycates but by the way of Boston & am uncertain what Ships they went in Least this Should have been the case I now Send you a Duplycate authenticated anew togeather with my Diary for last year youl See I have not finished for the year 1745 Exactly at Lady Day but the year 1746 Comences where that Leaves of So that I Imagine it will be no Objection tis Possible those I formerly Sent may be otherwise if So & you have recd the money I must Loose the 3 Days Pray Let me hear from you as often as you receive my Diary at Least and as I now write for Goods to be Sent out I may want money in Capt Thomlinsons hands therefore hope he will not be long without it Pray in your next Tell me how Coll

Dunbar is I wrote him a long Letter under your Cover when I wrote you but Possibley that might find the way to france too if my Diary did — I am —

P S Capt Thomlinson advised me of the money you paid him on my Accot —£ 172 : 5 : 6

[Endorsed] Copy to Mr Tho' Jones

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 139.]

Portsmo June 6 1746 —

[Inserted in a different hand, "it should be 1747."]

Sr I now Acknowledge your ffavour of the 24th ffebry ℔ Capt Snelling and am Sorry our Prov gave you So just an occasion for Either the Compl or reprimand in this I can Excuse my Self being Employd in the back of the Country to Search the woods build forts &ca where I Spent almost the whole Winter at the head of the Canada Soldiers of which Expedition we are officers & men almost Tired haveing been in Suspence now one year & the only Letter in New England about that affair from the ministry was the 9th of April 1746 the men not Permitted to Enter upon other business Least orders might arive & haveing recd not one Penny of Waiges, & but £8 ℔ man old Tenr Billiting Except when upon Actual Service they had allowence their Constant Applycation is to me and I have Assisted them by Little & Little till they have Draind me of all my money &ca that I have in the world So that really the Easiest & most Satisfactory Part of my Time has been when I was in the woods about Winipisseoce Pond tho' I Lodged every night upon 4 or 5 feet of Snow & every other Part of my Entertainmt Equivolent here I had no Duns for money & for that reason was Quite Content with Soldiers allowence when I could not get Bear or Beavour & what will become of us God knows I wish I was Prophet Enough to Save my Self whole & have 10000 times repented my being Perswaided into an Inlistment however tis now too Late & I must make the best on't the Indians from Canada are all around us from East to West in Small Parties & Harress us much & So I give you no further Trouble on Publick affairs as you have a Comittee to Correspond with you & Govr Wentworth I am Perswaided writes you at Large Sr I now Send you a memo for Sundry things which I would have put up at the best rate & Sent this fall the most of them are to Set my Sister Shurtleff into Some Little

business She haveing Lost her husband this Spring * Pray Let what ever you Ship for me be Insured that in Case of any Accedent I may not be a Looser — I now Send to Mr Jones my Diarys for 2 years Last Past as Supposeing those for 45 misscarryd I have wrote him Pressingly to Pay the money to you as Soon as Possible Pray when you have Leizure Let me how Capt Pikes affairs Stands with you the Legatees here being often with me on that head — as alsoe wither you have ever recd any thing of Macry on accot of the notes I Sent you he was then Master of the Deptford Store Ship — I have one other favour to beg of you that you would Enquire into an arrearage that has been Long Due to me from the Custom House for Service as Collector here my Demand is as follows Viz —

for 3 quarters Sallary Comenceing the 29th of September 1736 to the 25th June 1737 is 3 Quarters of a year at £100 Sterling is	£75 —
The Customary Charges for Incidents those three Qurs as ℔ accot Examined & allowd by the Surveyr Genll & Sent to the Comissioners attested	£47 —
for my Sallary as above from the 8th of may 1740 to the 25 December following is 2 Qrs & 49 Days . .	62,, 8 -
for the Customary Charges as ℔ Accot allowd &ca as above	35,, 19
	£220,, 7 -

I am aware that it may be attended with Difficulty to obtain Some Part of this Viz the Incidents beecause those things are usually taken out of the Kings 3ds of fines & forfeitures here but as there was none in that Time in this Port I hope I may now be Indulged with an order on Some of the Collectors here that has an over Plus Mr ffranklin I know now has & I know would be glad of Such Orders as to my Sallary I know no objection in ye way why I Should not have that Pray Expend Any Part of it in obtaining it & whatever you do will be agreeable to me —

at the Bottom of the Inclosed memo Is Some things for my own use which Send with the Mechandize Let it be Insured as above If Mrs Osburnes old Silk gouns are not Shiped Pray Let them be Sent with these things tho' I have been So Long I cant Leaf off without recommending to your ffavour Thomas Brown the Eldest Son of our Minister who Served with Capt Adams in your Employ — by his Carrector he is worthy of your favour in Puting him abaft the Mast I know he has refused Preferrnces here to Continue in your Employ &

* Mr Shurtleff died in May 1747. [This memorandum is in a different hand. — Ed.]

I believe Capt Adams will give you a good Carrector of him I am S^{r}

P S. Mr Jaffrey & others here Complain much of your Haberdasher that his goods are Put up too Dear & not of the best Quallity I hope their Information will Prevent any over Charge —

Sent ℔ Capt Gaston & Duplycate by Capt Peirce in Capt Bart —

[*Connecticut Resolutions relative to the Crown Point Expedition,* 1747.]

[Belknap Papers, Vol. II., p. 246.]

Anno Regni Regis Georgii 2^{di} 20mo

At a General Assembly holden at New Haven in his Majesty's Colony of Connecticut in New England in America (by special order of his Honour the Governour) on Wednesday the 28th Day of January annoq. Dom, 1746–7.

This Court being called by special orders of the Governour of this Colony, His Honour was pleased to lay before the Court diverse Letters lately received from his Excellency Governour Shirley, the Resolves of the Legislature of the Province Massachusetts Bay, as also the opinion of the Committee of the Council for the Colony of New York, with an extract of a Letter from his Excellency Governour Clinton relating to an Expedition proposed against the French Fort at Crown Point to be carryed on by the Forces lately raised in these American Governments by his Majesty's special order for an Expedition against the French Settlements in Canada, & Recommended the matters in said Letters & Resolves to the consideration of this Assembly at this time for which purpose he had now called them to meet.

And thereupon this Assembly having taken into consideration the said affair and duly weighed the same, It appears to this Court: —

That a Winter Champain will be attended with many & great Difficulties Hazards & Fatigues which will greatly dispirit & Dishearten the Troops & may make them uncapable of the services necessary to render success even probable, and that as the small pox has been & according to the best accounts that can be had still is among the Troops of the Western & Southern Colonies, so their joining with the New England Troops will most probably bring that Distemper into the whole army, and if so be likely to defeat the whole Design:

That (this Government supposing this Expedition which was in agitation last Fall was wholly laid aside, and knew not but that it was until it was too late to carry Subsistence & other necessarys by water to Albany for the Troops raised in this Colony, have not carried the s^{d}

subsistence and necessaries to said place) It is now impracticable by Land Carriage at this Difficult Season within so short a time as is proposed and is necessary should be done in case of a procedure, to supply the Connecticutt Troops with such provisions and other necessaries as they will certainly want over and above what they can be supplied with from the Massachusetts Stores according to a Resolve of the Legislature of that Government, which this Assembly gratefully acknowledges.

That it is very uncertain whether the western and Southern Colonies will join in this Expedition, for that the Governour of New York being by Committee of Council advised to assist in the affair on condition Connecticutt joins with the Massachusetts, but what assistance he can afford is uncertain, and inasmuch as that Committee signify their opinion to be that the undertaking is Hazardous and Difficult, seem only to advise Governour Clinton to assist that he or that Government might not be left alone & be liable to Blame in case of a miscarriage.

That there wants some general agreement & plan for conducting, governing & carrying on such an Expedition, and that in case such an attempt at this juncture and season and under the present situation of affairs should so far weaken or destroy the Troops raised for the Expedition against Canada, that by them no assistance can be afforded in that Expedition the next Summer in case his Majesty should require them, This Colony are apprehensive they might incur his Majesty's Displeasure as well as be instrumental in preventing the Reduction of Canada.

That under all circumstances success appears at least very doubtfull at this season, and in case the attempt should fail the ill & unhappy Consequences thereof are too well known & numerous to need mentioning.

Therefore this Assembly (who have his Majestys Interest really at heart & would exert themselves to the utmost in this important affair could not see it practicable and adviseable at this time) are of opinion tbat it is not Expedient to attempt at this Season to provide & Transport Subsistence and other necessaries for the Connecticutt Troops to go on an Expedition to Crown point, and do therefore for the present suspend proceeding therein.

But inasmuch as it appears to be of very great importance to Reduce or Demolish said Fort, This Assembly declare their readiness chearfully to exert themselves to the utmost of their powers for the Reduction or Demolition of that Fort, in conjunction with his Majesty's other Governments, as soon as the season & other circumstances will permit, and do thereupon Resolve that his Honour the

Governour with advice of the Committee of Warr Appointed to assist him, be, and he is hereby impowered and desired, that in case the Troops raised in this Colony for the Expedition against Canada, by any proper orders be called or ordered forth into his Majesty's service against the French before the session of this Assembly in May next, to give orders to the Comissaries appointed by this Court to make provision for that Expedition to deliver the Stores now in their hands, and also to provide & furnish what further may be wanted for the said Troops Subsistance and other necessarys for such time as he shall be advised to, and to provide for the Transportation thereof according to such Directions as he shall by advice as aforesaid think proper to give.

A true Copy of Record
Teste, George Wyllys, Sec^{ry}

[*Governor Law to Governor Shirley. Crown Point Expedition.*]

[Belknap Papers, Vol. II., p. 247.]

New haven, January 30th 1746–7

Sir — According to your desire I have called our Assembly together & laid before them several matters contained in the Expresses received from your Excellency respecting the proposed Expedition to Crown point & recommended the matters to their deliberate consideration; — on which they came to a resolve, a copy whereof I have herewith inclosed by which your Excellency will better see the sense our Assembly have of that matter than by any account I could otherwise give.

Your Excellency will see of what Importance the Assemby judge the Reduction or Demolishing of that Fort is, & therefore tho they cannot see it advisable at this season to proceed; yet they have made provision in case any Door shall be opened for that purpose. I must therefore (as I am greatly desirous that place may be wrested out of the hands of the French) earnestly desire your Excellency to acquaint me of it in case you should have any Intelligence relating to this Grand affair. I am with great respect

Your Excellencys most obedient humble servant
Jonth Law.

His Excellency Governour Shirley.

Copy Examind per J. Willard, Sec^{y}.

[Endorsed] Gov. Law's Letter to Govr Shirley, 30th Jan. 1746 —

[*Colonel Stoddard, concerning the "Six Nations,"* 1747.]

[Belknap Papers, Vol. II., p. 252.]

Extract from Col° Stoddard's Letter to his Excellency Governour Shirley dated Northampton May 13th 1747

I send you the Letters lately receiv'd from Albany, by which your Ex'cy will perceive that the six Nations are thoroughly engaged, and that most of them together with some others of their Allies are likely to join in our Service; I think with your Excellency & the Council that the encouraging these Indians is a thing of great Importance.

The several Governm^ts^ have been endeavouring for near three Years past to persuade those Tribes into War wherein they had not any Concern but to serve their Friends, and they seem generally got into it, and have left their hunting & other means of living, & exposed themselves & Families for our sakes, & can we expect they should fight for us, & devote themselves to that Service, & we suffer them to starve, or can we expect that they go a Warfare for us at their own Charge, or can we expect that Col° Johnson & Mr Lydius should pay the reckoning; They have taken a great deal of Pains to get the Indians into the War, & have effected more than the Governm^ts^ did in a Course of Years, & can it be thought that they should spend all their Substance in rewarding the Indians for their Service; It will cost them about 6 or £700 to fit out 100 Men for War (in York Money) as may be seen by Lydius Letter of March 26th And how many hundred will soon be out, & how many times they will go out this Summer, others can guess as well as I.

To Let the Design drop now we have a hopeful Prospect of distressing our Enemy would be fatal, for the Indians may well say, as they often suspected before hand, that our design was to get them into the War, & then leave them in the Lurch; and then we should fail of their Assistance, and no wonder if they should reconcile themselves to the french, which they would be glad of, & then take Part with the french against us; for the Indians are of such a Humour that if we deal justly & kindly by them, they will put their Lives in our hands, but if we deal deceitfully with them, that will soon raise an Abhorrence of us: Col° Johnson & Mr Lydius are now under a Necessity of going forward & fitting out the Indians, so long as they have any substance remaining, & when that is gone the Affair will be at an End.

Therefore I see no way but for the several Governm^ts^ to send Supplies of Money or Goods to enable those Gentlemen to carry on the War; I think it altogether just that the several Governm^ts^ do contribute towards the Charge, & doubt not but several of them would

chearfully agree to it upon proper Application being made to them; And 'tis probable that the Money so expended would do us twenty times as much Service, as what we have heretofore expended in the War. Were it in my Power I would send a thousand Pounds in our new Bills or in suitable Goods to those Gentlemen for their present Necessity, this would revive their drooping Spirits (whilst they are full of Expectations of being undone) & would greatly animate the Indians; such Causes ought not to be Starved for want of a little Oyl to keep the Wheels in Motion.

Examined ℔ J Willard Secry

[*Shirley to Wentworth, concerning the "Six Nations."*]

[Belknap Papers, Vol. II., p. 253.]

Boston May 18th 1747. —

Sir, These are to inform your Excellency that by Dispatches I have received from Albany & Northampton, I find that the Indians of the Six Nations are generally spirited to go to War against the French of Canada, that divers Parties are now out & others daily offering themselves, which is a Point the Governments of New England (especially those of the Massachusetts & Connecticutt) have been labouring to carry ever since the first of the War, And if this Spirit be duly cherished & properly managed & directed, it may, by the blessing of God, prove of unspeakable Benefit for the Safety of these Colonies, I refer your Excellency to an Extract from Colo Stoddard's Letter * to me for a more particular Account of this Affair: Only I would observe that Colo Johnson & Mr Lidius whose Influence on the Indians has brought about this great Event, are under such Engagements as they are not able to fulfill without proper Supplies from these Governments; And if for want of that the Indians should suffer any Disappointment, it is more than probable that they will be disgusted at their being left in the Lurch by us, & will fall intirely into the Interests of the French, which will be more fatal to these Colonies, than anything that has yet befallen us. Now as there is no General Court in being in this Province, we can do Nothing at present for the furnishing these Gentlemen; tho' Our General Court have intrusted Mr Lidius with this Affair, & have undertaken to supply him with a considerable Sum for this Service, & he has made his Draughts for the Payment, which will be done; but the Parties of

[* See document next preceding. — Ed.]

Indians come so fast upon him & Mr Johnson to be fitted out for this Service, that what the will receive at present from this Governm^t will be a very inconsiderable part of what they are under Engagements for, & the Gentlemen seem to apprehend that there is great Danger of their being ruined, & the Common Cause suffering the greatest Damage that we can conceive of, unless they be releived from these Governments.

I doubt not, Sir, but your General Assembly will in this Critical Conjuncture, readily make proper Supplies for the Encouragem^t of the Indians of the six Nations for prosecuting this War, & for keeping these Gentlemen in heart till an Agreem^t may be made between the Governm^ts to apportion the Charge that has arisen or may arise in this important Affair, among themselves ; And I shall lay this Matter before the General Court at their first Meeting, & I am fully persuaded they will chearfully fall into all the Measures necessary for promoting this important Interest — You will please to lay these Matters before your Assembly as soon as possible, & let me know their Resolution on this Affair. I am with great regard Sir

Your Excellency's most Obedient Humble Servt

W Shirley

P. S. I shall write to your Exc^y fully upon other matters by next post W. S.

His Excellency Benning Wentworth Esqr

[4–48] [*Petition of Robert Miller, Louisbourg Soldier*, 1747.]

To his Excellency Benning Wentworth Esqr Captain General And Governour and Commander in Chief in And Over his Majestys Province of New Hamps^e the Honble his Majestys Council and House of Representatives In General Assembly Convened July 14 1747

Humbly Shews Robert Miller of Hampton falls in the Province aforesaid

That your Petitioner at the Unfortunate Attack of the Island Battery in the Siege of Louisbourgh Met with a Shot by which he lost one arm which Renders him Incapable of Labouring for the Support of himself & a Large family the Only way he had to maintain them That Your Petitioner before his going to Louisbourgh was an Inhabitant of this Province But went in the pay of the Massachusetts Government for which Reason your Petitioner Apprehended that what Pension Gratuity or allowance he might hope to Receive for this

Great misfortune of the Loss of his Arm Ought to be paid by the Massachusetts and Accordingly Petition'd that Court for Relief But was Denied Any because He Belonged to New Hampsᵉ I Would therefore Pray Your Excellency & Honours that you would take my Case into Consideration And Do what You may think proper that I may have Relief from the Place where it Ought to Come That if it appertains to this Province Your Excellency & Honours would Grant me Such As in Your Great Wisdom You shall think proper And if it doth not Appertain to this Province that you would Grant Me Such assistance as you shall think proper towards My obtaining of it that I may not be shut Entirely Out Between the two Provinces and Your Petitioner as in Duty Bound shall Ever Pray &c:

Robert miller

In Council July the 16 1747 read & ordred to be Sent Down to the Honᵇˡᵉ House Theodʳ Atkinson Seʳʸ

[4–49] [*Supplies Sent to New Hampshire Soldiers, 1747.*]

Invº of Sundrys Shipt on board the Sloop Augustus Davᵈ Dungham for New York Consign'd to Mʳ Gulian Verlank Merchᵗ there on Accᵗ & Resque of yᵉ Provᵉ of New Hampshire & by order of Mʳ Secretary Atkinson to be reship'd by Mʳ Verplank for Albany to yᵉ Adress there of Collº Johnson & Jnº Henʸ Lydius Esqʳˢ

Boston July 15: 1747 —

One Large Case & one Bale Contª	
8 pᶜˢ Blue Broad Cloth qᵗ 187¼ yᵈˢ @ 60/ . . .	£561,, 15,, –
8 pᶜˢ half thick vizᵗ 7 blue 1 red qᵗ 262 yᵈˢ best Sort .	209,, 12,, –
2 pᶜˢ Contª 30 Stript Duffell blankitts @ 80s ℔ pʳ .	160,, ,, –
A Large Case 8 Yᵈˢ Crocus & Cartᵍ on board . .	5,, 8,, –
Cash pᵈ Capᵗ Dungham freᵗ to York	11,, 10,, –
Comº @ 5 ℔ Cᵗ	47,, 8,, 3
	£995,, 13,, 3

Errors Excepted Sam Wentworth

SHipp'd by the Grace of God, in good Order and well Conditiond by Samuel Wentworth in and upon the good Sloop call'd the Augustus whereof is Master, under God, for this present voyage, David Dungham and now riding at Anchor in the Harbour of Boston and by God's Grace bound for New York to say, one Bale & one Case On Accoᵗ as ℔ Invº & goes consigned to Mʳ Gulian Verplank to be reshipd for Albany to Collº Johnson & J. H. Lydius Esqrs being mark'd

and number'd as in the Margin * and are to be deliver'd in the like good Order and well Condition'd, at the aforesaid Port of New York (the Danger of the Seas only excepted) unto Gulian Verplank or to his Assigns, he or they paying Freight for the said Goods Nothing having pd it at Shiping £11, 10 – with Primage and Average accustom'd. In witness whereof the Master or Purser of the said Sloop hath affirm'd to three Bills of Lading, all of this Tenor and Date; one of which Bills being accomplish'd, the other two to stand void. And so God send the good Sloop to her desir'd Port in safety. Amen.

Dated in Boston July 15, 1747 Davin Dungum

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 254.]

Boston October 12. 1747.–8

Sir, Your Excellency has a Letter in answer to mine from you in Govr Knowles's Letter to you, wch makes it unnecessary for me to say any farther, except y^t^ I shall hope for the Assistance of your Opinion and Advice in the several points before Mr Knowles and myself.

I am in haste, the Express stays by for this, with much truth and Esteem

Sir, Your Excellency's most Obedient, Humble serv^t^

W Shirley

His Exc^y^ Govr Wentworth.

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 255.]

Boston, Novr 3, 1747.

Sir — Since my last by Express I have received an answer to every part of Mr. Knowles' And my Joint letter from Rhode Island; and as the method of the inclosed Muster Roll seems to me, what may save your Excellency and ourselves trouble, I have inclos'd it for your perusal, y^t^ if you approve of it, you may make use of the same method. Be pleas'd to return me the Muster Roll by the Post without fail.

I am wth much truth and esteem

Sir — Your Excellency's most Obedient, Humble Servt

W. Shirley.

His Exc^y^ Govr Wentworth.

* To Coll^o^ Johnson & Co at Albany

[*Shirley to Wentworth*, 1747.]

[Belknap Papers, Vol. II., p. 256.]

Sir — I receiv'd your Excellencys favour by the post, in wch you say you have sent me back the Rhode Island Muster Roll, but you have omitted it thro' hurry, I suppose, and would beg you to do it by the return of the Post. I shall want 5 setts of the Muster Rolls. I will write your Excellency more fully by Captain Huske when Mr. Knowles returns from Nantasket, where he was gone when your Packet was deliver'd me.

The News your Excellency mentions to have received by my Express, wants confirmation. I pray God, it may prove true at least in part in the End.

I am wth great regard and Esteem

Sir, Your Excellency's most Obedient, Humble servant,

W. SHIRLEY

Boston, Nov. 9th 1747

His Exc^y^ Govr Wentworth.

[*Shirley to Wentworth, relating to Soldiers' Pay, Riot in Boston, etc.*]

[Belknap Papers, Vol. II., p. 257.]

Boston, Novr 24, 1747.

Sir — Since my last to your Excellency, Mr. Knowles and I have receiv'd a letter from Govr Clinton, wherein he acquaints us y^t^ he has hitherto paid the levies of his own Governm^t^, Maryland, Virginia and Pennsilvania after the rate of 6^d^ Ster., pr day over and above their provisions, wch have been allow'd 'em, and y^t^ he shall pay 'em the remainder now due 'em at the same rate: whereupon Mr. Knowles and I think the rate of paying the Massachusetts, New Hampshire and Rhode Island levies is so far fix'd by Mr. Clinton's having proceeded thus in paying off the Western Levies y^t^ we think any abatement in the pay of the New England levies, or Stoppage for provisions or billeting money allowed 'em by the Colonies, would raise the utmost discontent among the soldiers here, and be greatly prejudicial to his Majestys service in New England in any future Expedition, And have therefore determined y^t^ the levies of the three before mention'd New England Colonies shall be pay'd off at the rate of *6d* pr day Ster. clear of stoppages for provisions or billeting money allow'd 'em by those Governm^ts^: which determination we the more

readily come into, as we find it is agreeable to your Excellency's opinion signifyed to me in one of y^r late letters.

We have had in this Town an Insurrection and most rebellious rout, of wch I will give you a particular acc^t in my next, as also an answer to all other matters not answered here, and to Mr. Atkinson's Queries, for omitting which now I hope for your Exc^y's Excuse, having been interrupted in my business by the late Tumult for some days.

I should be glad if possible to receive the acc^ts of your Levies before Mr. Knowles sails and the Express goes to England, wch last will be in all next week ; and the former I believe by Saturday or Sunday.

I am, with very great respect, Sir,

Your Excellencys most obedient Humble Servant

W. Shirley

His Exc^y Govr Wentworth.

P. S. Mr. Knowles has been some time on board the Canterbury in Nantasket, which is the reason of his not joining in this Letter.

[*Document Endorsed: "Govr Knowles & Shirleys letters on the Duke of New Castles letter* 30th *May* 1747."]

[Belknap Papers, Vol. II., p. 258.]

Boston, October 10th 1747. —

Sir The Inclos'd is an Extract from a Letter from the Duke of Newcastle to Governour Shirley Signifying His Majestys Commands to us upon the several Matters Containd in it, In Obedience to which we must desire You'l be pleas'd to Transmit to us by return of this Express or as soon after as You can Muster Rolls or Lists of the several Officers and Soldiers raisd within Your Government for His Majestys Service and days on which the Soldiers were Inlisted into it (which last may be best done by Attested Copies of the Enlistments themselves) also an Account of the Deaths of such of the Officers and Men which have happen'd since they enter'd into the Service with the respective Times when they happen'd as also of the Dismissions and Desertions of any of the Soldiers and times of their being discharg'd or deserting together with an Account of their Furloffs which have been granted from time to time to the Soldiers or any of them & for what time as also upon what Command or Duty the Officers and Men have been respectively employ'd since the Time of their entering into the Service together with a Muster Roll or List of the Officers and effective private Soldiers now remaining in the

Service all which Rolls. Lists and Acco^{ts} we desire may be duly Certify'd by the proper Officers under their Hands upon Oath taken before Yourself and Attested by Your Excellency also that You wou'd Transmit to us an Acco^{t} of the Charges of the Cloathing, Arms and Accoutrements of the Soldiers and of all other Expences which have been Incurred on Account of the Expedition and are not to be defra'yd by the Colony under Your Excellency's Governm^{t} from the time of their being Levied to the time of Your Attesting the said Accounts together with the Vouchers thereof all duly Certify'd upon Oath by the proper Parties before You and a Copy of the Proclamation Issued by Your Excellency for the Encouragement of Troops Inlisted into the aforesaid Service with Copys of the Votes of Your Assemblys touching the Bounty & Subsistance of Provisions granted by them for the Troops, And we must further desire that Your Excell^{y} wou'd in Pursuance of His Majesty's Orders Communicate to us Your Sentiments and Opinion as to the manner of Discharging these Officers and Soldiers & upon what Foot it may be best done having due regard to His Majestys Commands to us for doing it in the most Frugal Manner and his Expectations in this Affair, and this we desire Your Excellency wou'd forthwith do as a great Charge is running on till the Soldiers shall be dismiss'd by us. —

We must also desire Your Excellency in Obedience to His Majestys Commands to recommend it to Your Assemblies to furnish Such Sums of Money or Creditt as may be wanted to pay off the Soldiers which Your Excellency will perceive by the Extract of the Duke of Newcastles Letter is to be provided for by Parliam^{t} as soon as the account of the whole Charge Incurred by raising the Levies shall be Transmitted to His Grace by us and forthwith to let us know Your Excellencys Opinion of the Success of such an Application, as also to let us know whether You have Advanc'd any and what Sums of Money to the Officers and Soldiers or any of them on Account of their Pay and after what Rate and to what time they are paid in full.

And as Your Excellency perceive We are Commanded by His Majesty to retain such a Number of the American Levies in his Pay as we shall judge Sufficient for the Security of Nova Scotia against the Enemys Attempts untill a Reinforcement can be sent thither from Great Brittain the Preservation of which Colony is of the greatest Importance to the Safety and Welfare of all His Majestys Northern Colonies, And also that Mr Shirley is Orderd by His Majesty to Compleat his Own and Sir William Pepperells as likewise Lieu^{t} General Phillipp's Regim^{t} out of those Troops we hope Your Excellency will Assist the Officers who shall be sent to raise Recruits for those Purposes into Your Excellencys Government with Your Influence and

Authority and Contribute every thing in Your Excellencys Power to their Success and the promoting of His Majestys Service —

We think it Clear that the Arms and Accoutrem^{ts} of the Soldiers are to be return'd and where the Men have lost them their Value must be Stopp'd out of their Pay, or rather the several Captains are to be Call'd upon for the Arms of their respective Companies and are Chargeable therewith, which You will be pleas'd to Consider, And we must desire Your Excellency will forthwith let us know Your Opinion of what pay it may be reasonable to Allow the Officers as well as Men for their Service. —

We are Your Excellencys
most Obed^{t} Hble Servants,
W Shirley
Chas Knowles

His Exc^{y} Govr Wentworth

[*Extracts from Duke of New Castle's Letter.*]

[Belknap Papers, Vol. II., p. 259.]

Extracts of a Letter from His Grace the Duke of Newcastle to Governour Shirley, dated 30th of May 1747.

" His Majesty has been pleas'd to direct me to Signify to You His pleasure that you should immediately appoint a Meeting with Commodore Knowles at such place as shall be agreed upon, & Consider with him the present State of Nova Scotia & Louisbourg, and take the proper measures for the Defence of those places.

" It is His Majesty's pleasure you should Endeavour to [complete] from out of the Americans which are now rais'd for His Majesty's Service Sir William Pepperells Regiment and your own. —

" Lieu^{t} General Phillips Regiment is I am afraid very weak I will however send him His Majesty's Orders to send what Recruits can be got from hence, and you will also Endeavour to have his Regiment compleated out of the Americans. —

" It is also His Majesty's pleasure that Mr Knowles & you should Consider what Number of Americans will be really wanted for the Service abovementioned, and the King would have you retain so many as may be absolutely necessary for that Service, & no more, and the King hopes that a small Number of Americans with His Majesty's Forces which you have may be sufficient for that purpose,

as the Expence of those Americans is very great; And as to the Americans in general except only such as may be wanted, for the Service abovementioned, It is His Majesty's pleasure that you in Conjunction with Commodore Knowles should thank them in such manner as you shall think proper, & immediately discharge them upon the best & cheapest foot you can, and in order thereto you will Consult with the respective Governours upon the manner of doing it, and you will transmit to His Majesty an immediate Account of what you shall do therein. —

"As it is His Majestys Intention that the Americans should be immediately discharged, except only such few as are mentioned above, the manner of discharging them, the Satisfaction for their Time &c[a] must be left to Commodore Knowles & yourself; The King however is perswaded you will do it as cheap as possible. —

"And as these American Troops have done little or no Service hitherto, It is to be hoped they will not expect to be paid in the manner they would have been had they actually been Employed on Service And it seems highly reasonable that such of these Troops as have remained in the provinces where they were Enlisted should be contented with less Pay than such of them as may have march'd into other Provinces.

"When you and M[r] Knowles shall have mett and fully Considered the Service to be undertaken in the manner above directed and shall have Agreed what Number of Americans it will be necessary to keep in pay, for that purpose, It is His Majesty's Pleasure that you should procure an Account of the whole Expence incurred on Account of the American Troops from the time of their being levyed, to the time of their being discharged, and when the same shall be fully Adjusted and Liquidated you will transmit it to me with the proper Vouchers from the several Governours that it may be laid before Parliament to the End that Provision may be made for the payment, and in the mean time in order to prevent any Complaint amongst the Men that have been Enlisted (as well those that shall be discharged, as those that shall Continue in Service) for want of immediate Pay, you will recommend it to the Governours of the Provinces where these Levies have been made to procure Credit from the respective Assemblies for that purpose, which His Majesty hopes may be done without Difficulty. —

A Copy

W Shirley
Cha[s] Knowles

[*Shirley to Wentworth.*]

[Belknap Papers Vol. II., p. 260.]

Boston, October 29th 1747.

Sir — Mr. Knowles and I have received your Excellency's Letter dated the 23d Instant ; and as very great Expence to the Crown is running on whilst the Accounts of the Forces rais'd within your Excellency's Government for the Expedition against Canada are preparing and adjusting, we think it our indispensable Duty to send you the inclos'd discharge of 'em, which we desire your Excellency would have Publish'd among the Levies in such manner as you shall think proper.

You will perceive by the Extract of the Duke of New Castle's Letter, which we inclos'd in our last, that it is his Majesty's pleasure the Levies should be discharg'd in the most frugal manner, so that it is doubtless his Expectation that all such of 'em as have not march'd out of the Province or Colony, where they were rais'd sho'd be paid off at the rate of the ordinary Establishment for all his Majestys Regiments of Foot, viz. the private men at the rate of 6*d* Sterling pr. day, out of which a stoppage must be made of 4*d* for their Provisions. . . . so that there will remain to be paid in money to them only 2*d* Sterling pr day ; the corporals after the rate of 8*d* pr day, out of which a stoppage of 4*d* for their Provisions, so that 4*d* Sterling pr day will remain to be paid in money to them ; the Serjants after the rate of 1*s* Sterling pr day, out of which a stoppage must be made of 4*d* for their provisions, so that there will remain 8*d* Sterling pr day to be paid to them ; and this is agreeable to the Terms of their Enlistment, in wch no more is promis'd than the usual pay of his Majesty's Troops, viz. 6*d* Sterling & pay for a private man, 8*d* for a Corporal and 12*d* for a Sargeant ; out of which they find themselves with Provisions ; and where Provisions are found for them, as in the case of Lieut. Genl Phillip's Regiment posted in Nova Scotia & Newfoundland a stoppage of 4*d* Sterling pr day is made out of their pay for it : and in this case it makes no difference with respect to the soldiers that Provisions have been generally found for 'em at the charge of the Colonies where they were rais'd and not the Crown's : For that was not given them as the Bounty of the several Colonies but was required by his Majesty from those Colonies to be done in ease of the National Expence, and as what was their reasonable part of the charges to be ncurr'd by the late intended Expedition, set on foot chiefly for the immediate benefit of the several Colonies concern'd in it ; and considering these Troops have not march'd out of their respective Colonies, they have no pretence to expect more than what was promis'd

'em by the Terms of their Enlistment and ought to be satisfied with that.

As to all those Levies, which have march'd out of the several provinces where they were rais'd, except those sent to Nova Scotia an allowance of *2d* Sterling pr Day extraordinary to them upon that consideration will be sufficient; but as to those Troops which were sent to Nova Scotia, or Imbark'd for that Province, tho' they had the misfortune thro' Shipwreck & Sickness not to arrive there, Mr. Knowles and I think they ought to have on account of their Service & hard Duty, which occasion'd 'em a greater Expence of cloaths & other things than the rest of the Troops had, *6d* sterling pr. day above their Provisions from the time of their Imbarkation for Nova Scotia, till their return to their respective Colonies; before and after which times a stoppage must be made out of their Pay for their Provisions, and they receive no more in money than *2d* pr day, and the several Levies are to be paid off accordingly after those Rates.

As to the method of paying off the men when they are discharged it appears to Mr. Knowles and me, that there are but two ways of doing it. viz. Either by procuring money on Credit from your Assembly, which we are commanded by his Majesty to recommend to you, or else by borrowing money of the merchants upon publick Bills payable when the Parliament shall make Provision for defraying the Charges incurr'd on account of these Levies, which Bills Mr. Knowles and I think should be sold for the highest Exchange that can be got for the benefit of the men, but not at a lower rate than £700 pr Cent advance in Bills of the old Tenor, or £800 of that currency for £100 Sterling; and if both these methods should fail then we can't see what more can possibly be done than to give the men Certificates of what is due to 'em at the time of their being discharged with a promise of paying 'em as soon as possible: But we hope there will be no necessity of having recourse to this method.

Mr. Knowles being very much Engag'd in the Business of his Squadron which detains him great part of his time at Nantasket, has desir'd me to take upon myself the Settling of the Terms for paying the men off, and as he is under orders frem the Lords of Admiralty to repair to Jamaica to take upon him the Command of his Majesty's Ships there, and designs to Sail in about a fortnight, we shall be glad to proceed as far as possible in Execution of his Majesty's orders Committed to our joint care before he goes: And besides, if the acc^{ts} are not transmitted home in time to be lay'd before Parliament this Session, it may occasion a Delay in raising the money for defraying the charges.

Since Mr. Knowle's and my joint Letter to your Excellency I am

Inform'd by Mr. Secretary Willard that upon the first raising of Troops in this Province for the Expedition against Canada in Queen Anne's time, Her Majesty expressly promis'd (among other things) as an Encouragement for Volunteers to Enlist, that they should retain their Arms which had been provided for 'em by the Crown : But as the Expedition did not proceed that year, and the Queen sent Orders to Disband those Levies, which was done, this Government then thought proper (notwithstanding the Queen's express promise, and those Troops had march'd out of the Province to be ready to proceed by Land to Canada) to make the Soldiers deliver up their arms as they had not actually proceeded to Canada, in order to be kept for the Service of the Expedition when it should be prosecuted : which seems to be a case where the men had far greater reason to expect to retain their arms than they have in this, especially as the Duke of New Castle in his Letter to me of the 30th of May, only says that his Majesty had lay'd aside the Design of the Expedition for the present.

It was necessary to transmit to your Excellency the terms for the payment of the men and non-commission'd officers together with the enclos'd discharge of 'em ; As to the officers it may be time enough to send you Mr. Knowles' & my opinion of the Terms on which they should be paid off by the Post following, he being now at Nantasket ; with regard to myself I must in the mean time say, that I think they ought to have the full Sterling pay which the officers of his Majesty's other Troops in their Ranks receive.

I am with very great regard, Sir,

Your Excellency's most obedient Servant

W. Shirley.

His Excellency Govr Wentworth.

[Endorsed] — Govr Shirley, 28th Octo 1747, on the Dismission of the Canada men & their Pay.

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 261.]

Boston, Jany 17, 1747–[8.]

Sir — I ask your pardon for letting the last post slip me without acquainting your Excellency yt I appointed a Muster Master for the Troops rais'd here, Tho' he was not inserted in my list. I will let you know the Exchange at wch I pay the men by next Post ; and should have sent Answers to Col. Atkinson's Queries by this, but yt

the copy of 'em wch Pollard gave me are at present shipt among such an heap of papers y^t^ I can't readily find 'em. If Col. Atkinson will be at the trouble of sending me a copy of 'em, least Pollard should have lost his, I will answer 'em by next Post — being wth great esteem y^r^ Excell^ys^ most obed^t^ Humble servant —

W. Shirley.

His Exc^y^ Govr Wentworth.

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 262.]

Boston, Feby 2, 1747–8

Sir — I was favour'd with your Excellency's by Col. Atkinson, and gave him as particular Answers to his several Queries and verbal Questions as I could : and have only to add I pay the men off here after the rate of 750 pr cent advance, and shall make it up to 'em 800 pr cent advance, if I can sell all the Bills at that rate as I believe I shall, and contingent expenses will allow it.

I should be extremely glad to have all your Excellency's Acc^ts^ to transmit home by the ship after next, otherwise I am affraid we shall lose a session for the raising of the money by Parliam^t^

Inclos'd is the Amount of the Anchors wch I sent for your Province Vessels to Annapolis Royal, upon Mr. Mascarine's advice of its wanting 'em, And y^t^ the service suffered by it, and would beg the favour of your Excellency to send orders for the discharge of it.

I am to ask your pardon, I believe, for a demand on your part upon this Province, for an article or two wch Mr. Wentworth here called on me several times ab't but is not yet adjusted. I shall take care to have it done forthwith, and, am with great respect and Esteem,

Sir, your Excellency's most obedient Humble serv^t^

W. Shirley

His Exc^y^ Govr Wentworth.

[4–54] [*Commissary Penhallow's Petition*, 1748.]

To His Excellency Benning Wentworth Esqr Governor and Commander in Chief in and over the Province of New Hampshire, The Honorable his majestys Council & House of Representatives in General assembly Conven'd

The Petition of Samuel Penhallow of Portsmouth in the Province of New Hampshire most humbly sheweth — That your Petitioner was

voted by the General assembly of this Province to be Commissary to go with the Voluntiers raisd in this Province for the Expedition against Canada — That he was to have Ten Pounds ℔ month — That he Servd in that Capacity from the fifteenth day of July 1746 untill the thirty first day of october 1747 being Sixteen Months three weeks & four days amounting unto the Sum of one hundred and Sixty nine Pounds — That your Petitioner could not engage in any other business untill he was dischargd from his duty as commissary aforesd which was not untill the 31st day of october 1747 — Wherefore your Petitioner most humbly Prays your Excellency & Honours to allow him the Sd Sum of one hundred & Sixty nine Pounds for his Service aforesaid and your Petitioner as in Duty bound shall ever Pray &c —

Samuel Penhallow

March 8th 1747 [1748]

In Council read & ordred to be Sent to the Honble House March 10th 1747

Theodore Atkinson Sery

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 263.]

Boston, March 15th 1747–8

Sir — I am favour'd wth your Excellency's by the last Post, inquiring after the Pay, which Mr. Knowles & I have allow'd Pilots retain'd for the Expedition. But as I had not retain'd any, it did not occur to me, so that we did not think of it, & I don't find that article charg'd in any accts that have been transmitted to me yet: But doubtless it is a proper one.

Having sold the bills wch I have drawn for the Pay of the men at 800 pre cent advance, I have paid 'em hitherto at the Rate of 850 for 100, reserving the other 50 as a fund for contingencies, such as Medicines &c. wch could not otherwise be paid off; & what overplus there may be, if any, shall be in the end distributed among 'em, wch I mention to your Excellency having before wrote that I thought they must have been paid off at 8 for 1 only concerning wch I had a long contest wth the Buyers of the Bills.

This will be deliver'd you by Lieut Gerrish, who informs me that he has enlisted three men out of Berwick for Annapolis Royal, who have pay due 'em in the Expedition agst Canada for service in Colo Atkinson's Regiment: & I shall be oblig'd to your Excellency if you will order 'em to be forthwith paid that they may go upon Duty. Their names are Moses Ward, Walter Abbot and John Goodwin.

He also informs me that your Excell^{y} would not permit him to enlist a man within your Governm^{t} for his Majesty's service at Annapolis: In wch I have told him that I believe he misunderstood you, & Strictly charg'd him not to report it, as what I apprehended must put an Intire stop to raising men for his Majesty's service in all other Governm^{ts} upon the Continent. Your Excell^{y} has seen his Majesty's Orders to Mr. Knowles & me for retaining a number out of the American Levies sufficient for the Defence of Nova Scotia wch he & I determin'd could not be less than 500; & I have since very lately receiv'd the most strict orders from his Majesty that can be conceiv'd to use my utmost Endeavour for the security of that Province: I suppose those Orders can't be constru'd to mean that I sh'd raise all the men within my own Government, nor is it reasonable I should or practicable if I was to attempt it; & I suppose his Majesty's Right to raise men within all his Colonies for his service is not doubted; It has not yet been disputed by any of his Governours in the case of Sir Wm. Pepperill's & my Regiment: and Govr Thomas allow'd the Officers of four Regiments to recruit, as I am inform'd within his Governm^{t} at the same time, viz. Govr Trelawney's, Genl Dalzell's, Sir Wm. Pepperell's & my own; so clear was he in that point, nor did I in the least discourage Recruiting for Dalzell's Regiment within my own Government when Sir Wm. Pepperell & I had but just begun to raise men for our own Regiments. I might add that your Excellency is sensible that the Province under your own Government is principally interested in the preservation of Nova Scotia, & on that account ought to contribute its proportion of men towards it, wth this Province: But that will not be the case; — For I have hitherto enlisted for Nova Scotia wholly within my own Government, and I have raised there between 2 & 300 men, and it is not probable that Lieutenant Gerrish would have pick'd up 20 of your men, if he had been permitted to have enlisted within your Excy^{s} Government.

I would desire nothing of your Excellency that sho'd put you to the least Inconveniency; & can't but hope that raising a few men in your Province for his Majesty's service upon this occasion will not. Nor should I have given you this Trouble if I was not apprehensive that your Excell^{ys} Refusal to suffer any men's being rais'd there for this particular service would be of the most prejudicial consequence to his Majesty's service in general upon all occasions, for Soldiers within every one of his Colonies upon the Continent; For every Government will think they have an equal Right & the Same Reason to hinder the enlisting of Soldiers for the King's service with your Excellency, & probably follow your Example & so the King would be shut out from raising men for the Preservation of any part of his

American Dominions, wch he certainly has as good a Right to do within his Northern Colonies, as within any other part of his Dominions.

I am with great Regard, Sir,

Your Excellencys most Obedient Humble Servant,

W. SHIRLEY.

P. S. I shall take it as a favour, if your Excellency will give Lieut Gerrish leave to make trial for a few men for the sake of avoiding much greater disservice to his Majesty's Interest, y^n^ even the want of the men, wch he may pick up in your Government would be.

His Excellency Govr Wentworth.

[4–55]

[*Summons to the Council to Attend a Court of Admiralty in Faneuil Hall*, 1748.]

Province of the Massachusetts Bay Seal

By his Excellency the Governour, To the Honourable the Members of His Majesty's Council for the Province of New Hampshire & Each and Every of them Greeting.

You are hereby Summoned to appear at the Courthouse in Faneuil Hall Boston upon Tuesday the third day of May next at ten o'Clock in the forenoon at a Court of Admiralty then & there to be held for the Tryal of Richard James who stands charged with the Murther of one Thomas Lewis upon the High Seas within the Admirals Jurisdiction on or about the twenty fifth day of December last.

Given under my hand & Seal at Boston aforesaid the fourteenth day of April in the twenty first year of the Reign of our Sovereign Lord King George the Second, Annoq Dom. 1748: —

W Shirley.

[The foregoing is copied from the original. — ED.]

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 264.]

Boston, April 26, 1748.

Sir — Being oblig'd to send to the Duke of New Castle's office all the accounts and vouchers of the Expense of the late intended Expedition ag^st^ Canada, pursuant to his Maj^ty's^ commands to Mr.

Knowles and me to collect and transmit 'em to his Grace, by the first opportunity, wch will be in ab^t^ seven days, I should be glad if your Excellency would furnish me with such Rolls, acc^ts^ and vouchers in this affair as you shall think proper to transmit home of the Troops rais'd within the Province under your own Governm^t^, by the return of the Post.

I wish your Exc^y^ joy of Mr. Knowles success ag^st^ Port Louis, (1) and the prospect there is of opening all the French Ports on that side; as also of the confirmation of Admiral Hawke's Squadron having taken the Magnanimous from the French.

I am, in haste with great regard Sir,

Your Excellencys most Obedient Humble servant

W. SHIRLEY.

His Exc^y^ Govr Wentworth.

[4-57] [*Memorial of Captain Joseph Sherburne*, 1748.]

Province of New Hampshire } To the Honourable House of Representatives, of his Majesties Province of New Hampshire, in New England, (Guardians, of the Rights and Privileges, of the Inhabitants, within the same) now Convened in General Assembly. —

The Memorial & Request, of Joseph Sherburne, of Portsmouth, within said Province. —

Humbly Sheweth,

That in the Year 1744, when an Expedition was set on foot against Cape Breton, the said Joseph voluntarily enter'd into that Service, and went thither, Master of a Transport, with Troops & Stores. —

That Soon after the Landing of the Troops, on that Island, a Siege was form'd, against the city of Louisbourg, in which, the Memorialist, had a full Share of Action, being Order'd by the General, to quit his Transport, and take upon him the Command, of the Cannon in the Advanced Battery, as by a Copy, of the Generalls Warrant, for that Purpose, hereunto Annexed, may Appear; in which Command, he humbly hopes, he neither disgraced himself nor Dishonoured his Country. —

That, some little time after, the General honoured him, with a Captains Commission, for a foot Company, to Reward his faithfull Services, as a Canoneer, and for his further Encouragement, to Continue in that Hazardous Command. —

That after the Surrender of Louisbourg, he was Appointed Store keeper, to his Majesties Office of Ordnance, within that Garrison;

(1) Port Louis, a maritime town of Guadaloupe, West Indies.

as by the Copy of a Certificate, from the General, & Admiral, hereunto Annexed, may also appear, which says, he was a very Active Officer, and Acted, with the Strictest Fidelity, Industry, & Care, & to their Intire Satisfaction. —

That upon his return from Louisbourg where he had Wintered, he found his Country, beating to Arms, in Order to raise a Force, for an Expedition against Canada ; and thereupon (at the Request of his Excellency the Govr) he enter'd a Second time, into his Majesties Service, tho' he was then bound another way, to Seek a better Recompence, for his past Services, than he could expect to Obtain, in New England, which Design, he then laid aside, purely for the sake, of Serving his Majesty and his Country, in the new Expedition, and at the Desire of his Excellency, as aforesaid, which will in some Measure Appear, by the Copy of a Letter, from Mr Atkinson to Mr Thomlinson (in favour of the Memorialist) which is also hereunto Annexed. —

That his Excellency first, gave the Memorialist beating Orders ; then a Commission to Command an Armed Brigantine, in an Expedition, against his Majesties Enemies, particularly the french Settlements in the Gulph of St Laurance, Quebec, and Mount Royal, & elsewhere ; and afterward a Second Commission to be Captain of a Company, destin'd for the Succour of Annapolis Royal, by which, he was vested, with a double Command both by Sea & Land ; That he did go to Annapolis, pursuant to the Governors Order, where he pass'd his Musters & has Certificates thereof, both from the Governor, & Commissary of War, ready to be laid before the Honourable House, if required. Notwithstanding all which & a variety of Orders, which he received from his Excellency, in his double Capacity, of Captain both by Sea & Land, & the most ready & Punctual Obedience, which he paid to them. — Yet so it is, that he was lately Informed, by the Honble Mr Atkinson, Pay Master of the Troops, that his Excellency had determined, that his, the Memorialist's Pay should be that of a Lieutenant & no more ; which must be Acknowledged to be such a resolve, as is eno' to Awaken Indolence, & Make, even Indifference it self Sanguine ; however he Chooses to Waive any Remarks, that would Aggravate the Unkindness, with which he has been used. Upon the whole the Memorialist Humbly prays the Advisement of the Honourable House in the Premises, And that they will be pleased, to become Intercessors, in his Behalf, that he may not be disgraced, and degraded, Undeservedly, nor deny'd the pay to which his Commissions Intitle him, namely that of a Single Captain at Least, to which he humbly Apprehends both by the rules of War & Common Justice, he has an Undoubted Right. And if their

Endeavours should prove Successless here, he further prays that they will be pleased, to recommend the Affair, to his Majesties Royal Consideration, whose Principle it is, to reward the Brave, and the Deserving; and from whose Justice, and Goodness, he han't the least doubt, of having his Grievance redress'd

And the Memorialist shall ever pray as in Duty Bound —

Jo^{s} Sherburn

Portsmouth May 11th 1748.

[4–58]

[*Copy of Letter from Captain Sherburne to Admiral Warren,* 1748.]

To the Right Honorable Sir Peter Warren Knight of the Bath, and one of the Lords of the Admiralty

Sir, After craving your Leave, to congratulate your Advancement, to the high Station, in which His Majesty has been pleased to place you, as a reward of your Merit, since I had the Honour of serving His Majesty under you in the City of Louisbourg; I humbly intreat, that you will be pleased to allow me, to lay before you the injurious and undeserved Treatment (to say no worse of it,) which I have lately met with here; and that you will condescend, to favour me with your Patronage in order to my obtaining relief. —

The Case stands thus

Upon my return from Louisbourg I was bound immediately to Boston to wait on you, and with your Countenance and Permission, to take a Voyage in the Chester to London, to seek a recompence for my Service as Store keeper to His Majestys' Office of Ordnance at Louisbourg, pursuant to the Certificate and recommendation which you and General Pepperrell, were pleased to give me for that purpose, and to offer my self to enter anew into His Majesty's Service, in such Office, as you should think me worthy to sustain, and would be pleased to bestow upon me —

But I was no sooner got to Piscataqua Than the Govr of this province desired me to engage in the then intended Expedition agst Canada, with a promise that I should be established a Captain in the said Expedition when his Majesty's blank Commissions should arrive, which were then daily expected, and in the mean Time he gave me a Captains Commission for an armed Brigantine, and another for a foot Company, Copys of which are herein inclosed, however when the Expedition was given over, & the Forces were dismiss'd, and pay Day was come, I was told by the Gentleman, who was Colonel and pay

Master of the Regiment that the Governor had determin'd, I should have no more than a Lieutenant's Pay, tho' I had two Captain's Commissions then in my Pocket which I received from him as before mention'd, and tho' I had never given the least Shadow of Offence to the Governor, nor faild in any Point of Duty that I know of, nor can I devise any reason for it, but that, he might promote other persons, that were more his Favourites and oblige them with the Money nor could I be admitted into the Governor's presence to plead my right, tho' I had several Times desired it. — Whereupon I apply'd to the General Assembly, desiring them to become Intercessors for me, that I might not undeservedly be reduced and disgraced, and deny'd the pay to which my Commission entitled me, which I understand by the Governor's Friends, has made him still more obstinate. A Copy of the Memorial is herein also inclosed, which is a full opening of the Scene, and on which, I humbly beg that you'l be pleased at a liesure Minute, to cast a favourable Glance of your Eye, and to indulge me with your Interest, in obtaining Justice in my behalf.

The notice you was pleased to take of me at Cape Breton, moved me to make this Application to you but more especially, the universal Character you bear of being a Patron to the distress'd; a rewarder of the well deserving, and just to all mankind. —

I am conscious that I have fail'd (in some respects) in the Manner of my Address, which I hope you will be pleased to excuse, when you consider I was bred a Tar and not at Court, and that I am quite unacquainted with the Mode of making an Application to Such a Superior. I am Sir,

your most obed^{t} most obliged, and most devoted humble Servt

[Endorsed] Copy to Adm^{l} Warren Ap^{l} 1748. —

[4-59] [*Soldiers at Fort William and Mary*, 1747.]

1747 A List of Soldiers belonging to the Fort

Names	Entry	Bread	Pork	Rum to Dec ye 8th
Capt Thos Bell . .	March 25th	365lb	365lb	258 Gills
Richd Perrey . .	— 25	365	365	258
Josph Langmaid . .	— 25	365	365	258
Benja Bell . . .	— 25	365	365	258
John Neal . . .	— 25	365	365	258
Wm Perrey . . .	— 25	365	365	258
Benja Yeaton . .	from June 1st to Decr 25	268	268	258
Barna Crucy . .	to Decr 25	345	345	258
Alcock Stevens . .	March 25	365	365	258
Meshech Bell . .				
Samll Rogers . . .	Feby 1	53	53	
James White . . .	March 25	365	365	258
Christo Indian . .	Novr 1	145	145	38

The Victualling Acco[t] of Capt Thomas Bell Esq[r] for the Soldiers at Fort William & Mary from the 25th of March 1747, to ye 25th March 1748 Dr

To Bread 4410lb
Pork 4410
Rum 3134 Gills is 97 & ¾ gals & 6 Gills

This Accompt Cr

By 5 hhds Bread Receᵈ from Canna Stores nᵗᵗ . . . 1866lb
By 5 hhds Do from ye Treasur 1901
B 1 hhd Do from Do 428

4195lb

By 22 bbs Pork Do 4430lb
By 97¾ gall & 6 gills Rum Do . . . . . 3134 Gills

Province of New Hampshr } June 3d 1748. I acknowledge to have received from George Jaffrey Esqur Treasurer the above mentioned Bread Pork & Rum for the Use of the Soldiers at Fort William & Mary to the twenty fifth day of March last

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 264.]

Sir — I shall be oblig'd to your Excellency if you can assist me in the recovery of the within nam'd men. I beg pardon for troubling you with the inclosed Scrawl. But the Vessell being to sail for England this morning I have not time to transcribe it, or to add more y^n^ y^t^ I am with great regard and esteem,

Sir — your Excellencys most obedient Humble Servant

Boston, May 31, 1748 W. Shirley.

His Excellency Govr Wentworth

[The following names are on the back of the foregoing. — Ed.]

Capt. Light
Capt. Chesley

Capt. Hanson & wife about Gilman's affair.

[*Shirley to Wentworth, on the Albany Affair.*]

[Belknap Papers, Vol. II., p. 265.]

Boston, June 11th 1748.

Sir — His Excellency Governour Clinton having appointed an interview with the Indians of the six Nations, to be held at Albany the tenth of July next, wherein matters of great Importance to the Safety and Welfare of all his Majesty's Colonies in North America will be transacted, I have at the desire of the General Assembly of this Province (a copy of whose vote I inclose you) as also of Governour Clinton, and in consequence of his Majesty's commands to me to join with Govr Clinton in this service, determined (God willing) to be present at the Interview, attended by Commissioners from this Province ; and as a full Representative by Commissioners from all the Northern Colonies will have a great tendency to render our Negotiations with the Six Nations successful, and fix them in his Majesty's Interest, and engage them in carrying on the War against his Majesty's Enemies, and as other matters may be transacted at the said Congress which may be for the lasting Security & advantage of these Colonies, I do now upon my own meer motion, and the solicitous desire I have that his Majesty's service upon this Continent may be consulted in the best manner, and the Interest of all his Colonies there be most

effectually secured, as well as at the request of the General Assembly, earnestly desire your Excellency would cause Commissioners to be sent from your Governm^{t} to be present at the afores^{d} Interview, and to consult & join with the other Commissioners there in transacting the several matters contained & proposed in the inclosed Copy of the before mention'd vote. I shall write to all the rest of the English Governours from New Hampshire to Maryland — and am with great regard, Sir, your Excellency's most obedient Humble servant

W. Shirley.

I have not time to add, except y^{t} I should be glad y^{r} Exc^{y} would let me have the Expedition Acc^{ts} wch you design to transmit home.

His Exc^{y} Govr Wentworth.

[*Proceedings of the General Court of Massachusetts relative to the "Six Nations,"* 1748.]

[Belknap Papers, Vol. II., p. 266.]

The Committee appointed to take under consideration those parts of his Excellency's speech which relate to the meeting of the Commissioners lately held at New York, and to the securing the Indians of the Six Nations, as also his Excellency's Message of the 31st May, are humbly of opinion,

That it is not expedient for the Court at this time to come into any new Resolutions respecting the Result of ye Commissioners who lately conven'd at New York — But, that it is of great Importance to this Governm^{t} as well as to those on whose Borders the Six Nations of Indians are situated, that measures should now be taken for preserving said Indians in their good affection to his Majesty's Subjects, and attachment to his Interest; and that the Treaty or Interview proposed by his Excellency will, in all probability, greatly tend to strengthen such affection & attachment; and as this Government have generally appeared by their Commissioners at such Interviews, the Committee are of opinion that three Gentlemen be now chosen by this Court to attend his Excellency the Governour, and that they be impowered, in case any Bounty or Reward shall be found necessary in order to encourage the Indians to acts of Hostility against the French over & above what may be allowed by his Majesty, to engage for the Same on the part of this Government, agreeable to such Instructions as they shall receive from the Court for this Purpose.

The Committee are further humbly of opinion, that the Gentlemen

sent from this Government be instructed by the Court & fully impower'd (with the approbation of his Excellency the Governour) to join with any other Governm^{ts} who shall be present at this Interview, in humbly representing to his Majesty, the distressed state of their Governments by means of the French in Canada, the necessity of the reduction thereof, and the inability of the several Governments to effect the same at their own charge, and humbly praying his Majesty's favour in allowing forces to be raised in America for this purpose at the charge & in the Pay of the Crown, and to order such a number of his Maj^{tys} ships to be sent up the River St. Lawrence as may be thought proper.

And that his Excellency be desired immediately to advise the several Governments as far as Maryland of this Interview, that as many may be present as possible.

Jacob Wendall, by order.

In Council June 8, 1748, Read & sent down.

In the House of Represent^{ves} June 8, 1748, Read & Ordered that this Report be accepted, & that Mr. Tyng, Col^{o} Heath & Capt. Rowell, with Such as the Honble Board shall join, be a Committee to wait upon his Excellency & lay the same before him accordingly.

Sent up for concurrence. T. Hutchinson, Spk^{r}

In Council June 10, 1748 Read & concurr'd & Sir William Pepperell & Saml Danforth Esq. are joined in the affair

By order of the Board,
Wm. Pepperell.

Copy Examin'd pr. J. Willard, Sec^{y}.

[4–64] [*Instructions to Governor Wentworth*, 1748.]

By the Lords Justices —

Gower C P S.

Bedford
Montagu
Pembroke
Seal

Additional Instruction to Benning Wentworth Esqr His Majesties Governor and Commander in Chief in and Over the Province of New Hampshire in New England In America, or to the Commander in Chief of the said Province For the time being —

Given at Whitehall the Thirtieth day of June 1748 — In the Twenty Second Year of His Majesties Reign —

Whereas it hath been represented unto his Majesty that you having in His Majesty's Name, and by virtue of your Commission, issued a writ to the Sheriff of the Province under your Government, commanding him to make out Precepts directed to the Select men of Certain Towns, Parishes, and Districts therein mentioned, For the Election of fit Persons, qualified in Law, to represent them in the general Assembly Appointed to be held at Portsmouth within The said Province on the 24th day of January 1744/5 (By which writ the Towns of South Hampton and Chester, and the Districts of Haverhill, and of Methuen and Dracut, and the District of Rumford were impowered to Choose Representatives as aforesaid) The said General Assembly did refuse to admit the Persons duly Elected to represent the said Towns and Districts, To sit and vote in the Choice of a Speaker, And whereas the Right of sending Representatives to the said Assembly was founded originally on the Commissions and Instructions given By the Crown to the respective Governors of the Province of New Hampshire, and His Majesty may therefore lawfully extend the Privilege of sending Representatives to such New Towns as His Majesty shall judge to be worthy thereof —

It is therefore His Majesties Will and Pleasure, and you are hereby directed and Required to dissolve the Assembly of the Province Under your Government as soon as Conveniently may be, and when another is called to issue His Majesties Writ to the Sheriff of the said Province commanding him to make out Precepts directed to the select men of the Towns of Southampton and Chester, the Districts of Haverhill and of Methuen and Dracut, and the District of Rumford, requireing them to Cause the Freeholders of the said Towns and Districts To assemble to Elect fit Persons to represent the said Towns and Districts in General Assembly, in manner following, Vizt One for the Town of Southampton, one for the Town of Chester, one for the District of Haverhill, One for the District of Methuen and Dracutt, And one for the District of Rumford, And It is His Majesties further Will and Pleasure, That you do support the Rights of such Representatives when Chose, and that you Do likewise signifie His Majesties Pleasure Herein to the Members of the said General Assembly. —

Extract of that part of His Majesty's Additional Instruction, determining the Right of sending Representatives to such New Towns as His Majesty shall judge worthy thereof, To be In the Crown —

Copy Examin'd ℔ Theodore Atkinson Secry

[4–65]

[*A Fragment, Dated July* 8, 1748, *Endorsed* "*W. to S.*"]

As to ye Present of Plate &^ct^ I have said eno' of it, & had it not been necessary, to convince you of w^t^ pass'd between You & Mr Dwight on y^t^ Occasion as to ye Perquisites, in wch I doubted not his Integrity in an impartial Acco^t^ of, I should not have mentioned it, w^t^ I have said as to it's being a Secrett to some, I had a Particular Caution given me especially not to mention it to two of my Captains, & if this was not from Your Excell^y^ wch I am not certain in, it was from one of ye Family, Y^r^ Ex : well knew S^ir^ before you wrote ye Lett^r^ y^t^ no compulsive Methods were taken to effect ye Point, & y^re^fore wth humble Submission I think y^t^ Brigd^r^ Dwight & myself were not well treated, in ye Suggestion y^t^ ye false & scandalous Reports, wch were spread were owing to our Extorting ye propos'd Contribution from ye Officers upon hearing of wch you are pleased to say, I well knew, you instantly desired us both to return ye Notes we had taken, should that Talk be ever reviv'd wch I hope it will not, & least y^r^ Ex : should again call upon us for a Narrative of ye proceeding, I must say y^t^ ye Town had it for a full Month before my officers Lett^r^ to me on y^t^ head was wrote wch was ye 25 Feb^ry^ & on ye 14 March you ordered ye Notes to be return'd, & after ye Letts^r^ I wrote you on ye 15 March, y^t^ ye Officers would upon y^r^ offer of being return'd refuse ye taking y^m^, wch I did think might be ye Case, nothing was said about y^m^ by y^r^ Ex : or ye officers, or any in y^r^ behalf till Col^o^ Bourn ask'd me if I had Orders from y^r^ Ex : to return his Sons Notes, wch I afterw^d^ had y^r^ written Order for, & sometime after y^t^ Mr Shirley came wth Lt Noble, & desir'd I would give up his, & Mr Kent afterw^ds^ came from y^r^ Ex : for his, ye others I deliver'd back without any other Orders than those contain'd in y^rs^of ye 14 March ; y^t^ I know not of any other refusal than y^t^, or y^r^ saying much less insisting on ye Return of ye Notes afterwards, so y^t^ You did never particularly say one Word, & consequently never prest ye Return of y^m^ upon me y^t^ I know of, very contrary to my Expectation & w^t^ I had given y^r^ Ex : reason from mine of ye 15 to expect, several of ye Officers came soon after and asked for theirs, I dont mention these particulars out of a Repugnancy to y^r^ Ex : Declarations on y^t^ head, but y^t^ you may not think or depend on my knowing or saying more of ye affair than I have here mentioned, w^t^ y^r^ Ex : might say to Col^o^ Dwight I am unacquainted with, so can only answer for myself.

Y^r^ Ex : is pleas'd to say You are very sensible of my former Attachm^t^ to you, & y^t^ your Attachm^t^ to my Interest has been reciprocall, I am sensible of every Obligation I am under to Y^r^ Ex : & do keep

in my mind an exact Account of Debt & Credit. the ballance I believe is well known to ye World, tho' I never took pains or gave hints except when I thought myself injured by y^r^ Ex: & y^t^ to you only, to demonstrate in whose favour it was, I thank you for every favour that I have receiv'd & others that you were inclin'd to do me, & wch you would have done to ye Preservation of my best Interest & Estate had not ye Western Torrent prevented; The Instance you are pleased to hint of my quarrelling with you upon I should willingly have excus'd ever saying anything farther about, but I am forc'd to say y^t^ I paid a good Price for y^t^ favour wch. I take to be my Sons Com^n^ while I was at Louisbourg, & an extravagant Purchase was afterw^ds^ made of it by his application & industry here in Drawing of my Tenants who were indebted to me above £4000 Sterl^g^, wch had they had the Protection, due all ye Kings Subjects under your Governm^t^, His Maj^tys^ Interest, the real Service of ye Province & my own particular Interest would have been greatly promoted, My Son has been many Years of Age to Act for himself, & from ye Accounts I have had of his Conduct, he has done no dishonour to the Com^n^ to wch w^thout^ raising a Man on his or my part he had certainly a much better pretension to, than any Capt y^t^ was on ye Louisbourg Expedition: I have forgott no favours I ever receiv'd from y^r^ Ex: but every one I ever did for you, wch I confess were short of my Inclinations, are, I think quite forgotten. I am sensible that a Mans upbraiding another of a favour done him is paying himself; I shall not treat y^r^ Ex: in this wise, but as I have an Expectation of some Reparation from your Ex: its necessary that I let you know w^t^ you may possibly be desirous I should forget as you have done: I could if I was ill natur'd retort on ye frequent passages in y^r^ Ex: Letter of y^r^ exposing y^r^ Fortune & Interest, but I am conscious y^r^ Ex: knows my meaning. I would expose Fortune & Interest & even Life to serve any Man, that I thought myself as much indebted to as once I expected to be to y^r^ Ex:^cy^ Modesty will not permit my going into particulars.

You are pleased, S^ir^ to do me great Honour in saying that the Continuance of my Friendship you shall be glad of, but if it is not to be purchas'd without incurring His Maj^tys^ Displeasure by a breach of your Trust it is w^t^ You wont do to gain or keep the good Will of any Person whatever, if I ever offered any thing to y^r^ Ex: y^t^ particularly related to ye Trust His Maj^ty^ has repos'd in You it was the Cover of his expos'd Subjects on ye Eastern Frontiers, who were equally entitled to your Protection with ye other Inhabitants of this Province, y^t^ his Maj^ty^ has pleas'd to put under Y^r^ Governm^t^ & Command, how far you made a point of it your Ex: well knows, but this I can't think is w^t^ you now hint at, but y^t^ of your having my Vouchers & y^rs^ given

up too in ye precipitant Manner your Lett^r^ of yesterday requir'd wch must be without any Precautions for my own Preservation, was very extraordinary. wou'd your Ex: have me think that his Maj^ty^ ever expected from y^r^ hands my Vouchers wch if you did not obtain, you should incur his Displeasure, Sure S^ir^ such an Impression can never be made on me.

In Return to what I have said of my having given full Demonstration of my Attachm^t^ to you, & y^t^ at no small Expence of my private Fortune in G. Britain you are pleas'd to say "I cant allow S^ir^ that I am one Penny in your Debt for any Expence on my Account there; you was upon your own Business; and as to any Extraordinary Expence you might be at in two Journeys to Sussex, two to Coventry, Sundrys to Barnet, Postage Coachhire & Waterage on Account of my Service, you have charged me in your last Account from England for them £20,, 8,, 6 wch you indeed say they exceeded" Let the Consequence of my reply be what it will, I must tell y^r^ Ex: y^t^ had your Circumstances been equal to the Com^o^ his Maj^ty^ favour'd you wth wch I assert to you & can prove was obtain'd purely thro' my means & Application, I should expected from ye Opinion I then had of your Generosity & Gratitude that you were a larger Sum than the Penny in my Debt for Expence purely on your Account in England, I was not on my Business or my own Account, nor did negotiate any during the whole time of my being there, except w^t^ was intended purely for your Benefit, tho' at ye same time, I had a View to ye Protection of my own Property, wch had been unjustly invaded; You know I could have made Terms with Mr Belcher, before I embark'd, but you persuaded me not to Trust him, & my own Resentm^t^ hurryed me on, or I should have been I verily believe in much better Circumstances than I at present am, I can very easily prove to y^r^ Ex: by living Witnesses that I had no other Business in England than Yours, & y^t^ I apply'd myself steadily thereto, & omitted nothing that I thought just & reasonable for y^r^ Service wch y^r^ Ex:^y^ I believe once thought, the L^rs^ wch you easily prevailed on me to deliver up, on my Return, must have, if you were now to inspect them, convinc'd you, y^t^ you had such Sentiments of me, why these L^rs^ were burnt by you I know not, if those I from time to time sent y^r^ Ex: had ye same Fate I can furnish y^r^ Copy for your Speculation, & I have ye Pleasure to tell you that I this Morning found Duplicates, or Triplicates of every Lett^r^ you wrote me, while I was at London, to ye Number as Mr Lebloud tells me of One hundred & Fifty two, thereby I can evidence to y^r^ Ex: y^t^ you had different Sentim^ts^ of my Services to w^t^ You now Acknowledge, I have already said I had no Business of my own to Carry or Detain me there, I told y^r^ Ex: before I embark'd my Intentions

in your Favour, & did expect to be back'd by some power full Interest of y^r^ Friends, but was greatly disappointed & had not I assure You any Assistance from them. but on ye Contrary they were timorous of ye Consequence of your Appointment and would do nothing the Duke said if anything amiss should happen it would be retorted by the Antiministerial men,

You were a Sus—x Man, in short every thing that was done, You know already & possibly may not have forgot from w^t^ Quarter it came; As to my Service I now leave you to judge as you please, but I must do Justice to Mr Kilby in assuring you his Application in your behalf was of ye greatest Importance, he may have been rewarded, I am not. The latter Part of this Paragraph importing my Charge in ye last Acco^ts^ I sent you from England of £20,, 8,, 6, y^r^ Ex: sure has not lately seen ye Acco^ts^ for I deny there being any such pittyful Article of Charge therein, I have the Original now before me the Debt am^o^ to £664,, 11,, 6 & ye C^t^ to £685 — dated London Sepr 24, 1741, and at ye foot thereof is inserted "Note I have charged nothing for my Journeys to Sussex, two to Coventry, Sundrys to Barnet, nor anything for Postage, Coachhire & Waterage wch except ye Journeys I kept no Account of & they am^o^ to much more than this Ballance" and if this Article stands in y^s^ form wth y^r^ Ex:, I am surpriz'd that you should so misrepresent it, — I hinted y^s^ y^t^ you might not think I used your Money, & at ye same time to let you know, y^t^ w^n^ y^r^ Circumstances would admit of it that I should expect a reasonable Allowance for my Services, wch were evidently employed for yours, & ye Reason I did not make any Charge was, that I knew of a Certainty, y^t^ you could not afford to make me a Reimbursement, or even an Acknowledgement y^t^ could be suppos'd equal to y^m^ tho' I had a good Opinion of y^r^ Ex: Generosity, & did expect at some time or other I should have a grateful Return, but y^s^ is not ye first disappointm^t^ I have met with, Y^r^ Ex: might have gone from ye last Account I sent you from England to one I delivered you here, ye afores^d^ Sum of Debt & Credit are I find continued w^th^out a Ballance drawn, & to ye D^r^ is added a Charge of £3, 13 — for Postage of your Com^o^ to ye Mast Ship 52¾ oz wth ye Box 16^d^ Porter^ge^ of ye Com^o^ 1/ 2 Lett^rs^ 8^d^, wch reduces ye Ball^ce^ to £16,, 15,, 6 Sterl^g^ & y^t^ Ballance if I did not Respond in ye Account we afterw^ds^ settled was owing to forgetfulness & not a Design of taking this as an Adequate to all my Expences on y^r^ Account w^n^ I told you ye Expence of ye Journeys only am^o^ to a much larger Sum for my Extra Expences amount to much more than y^s^ Sum even at Cobham, in going to Visit good M^rs^ S —— who you knew well ye Situation of w^n^ I arriv'd in England; the poor Lady was greatly dispirited, had been in Quest of a thing of about £200 —

a year, & given over all Expectation of Success, & y^r Ex: knows well y^t She was so willing to accept of anything, that after I had carryed the Affair of your acceding to ye Governm^t so farr, as y^t y^re was a good Prospect in My Imagination of Success, she would have given up y^r Pretent^s to it for ye Chief Justiceship of Gibralter, wch I had difficulty in bringing her off from, in fine S^ir, none of y^r Friends in England had ye like Sentim^ts of my Services as you declare, and there are many Gentlemen among y^r Friends will think I deserved a much larger Sum, than was ever proposd to M^r —— & he will I am sure also think so "You are pleased further to say" But then again if you will Consider y^t you took up £300 Sterl^g of Mr Chauncey Townsend in England on Pretence, as you exprest y^rself in ye Acco^ts of my Occasions wanting it & upon my Credit but in reallity for your own Service, which I paid him instantly on your desire & took an Obligation to him upon myself in a manner wch no Person would choose to be obliged in, & for wch you paid him no Interest for ye four Months, at ye End of wch it was payable I believe it may fully ballance the Account, but if that does not there are many Services wch I never charged you for in Your Absence, wch would greatly over Ballance Accounts" Sure S^ir You could never have said these things without an Expectation of an Answer, to ye first part of this Paragraph be pleas'd to take this, that on ye 18 Aug^st 1739 at y^r desire & for your Honour I paid a protested Bill of yours of £152,, 7 — Sterl^g to Messrs Lane & Caswell & receiv'd no more than £100 Sterl^g to enable me so to do, so y^t I was in advance of £52,, 7,, Sterl^g on y^s Acco^t about two Years, ye Interest of wch was more than equivalent to y^e £300 for 4 months to Mr Townsend, but y^s you say I paid him no Interest for, nor do I suppose you did, for he absolutely refus'd to take any Interest or Consideration for that time, unless y^r Ex. or myself, would send him some of our wild Geese in lieu thereof, Y^r Ex: has receiv'd of me ye Principal & I will engage to satisfy Mr Townsend for ye Interest, w^n I see him if he pleases to accept of it, wch I am very certain he will not; w^n I took y^s Money it was near Winter & uncertain whether I might reach ye Coast or not, & I having no Confidence y^t ye young people I left in ye managem^t of my Affairs would remit him ye Money as soon as my Engagem^t might require, I represented to him, y^t it would be as well for your Interest as mine to have y^t Loan, w^thout wch I could not wth Honour leave England, & as I had ye Charge of several Affairs y^t respected you this Suggestion was not a bare Pretence,

In fine S^ir necessity of taking ye Money was brought upon me purely on your Acc^t as you then knew, tho' you have suffered yourself since to forgett y^t ye three Years time I expended in England must be attended with great Expence, & y^t it was purely my Zeal for

ye Service of You & your Family, wch then needed every good office I could do 'em, that occasioned my Voyage there, & brought on me tribble ye Expence of y^s^ Sum, wch I expected You, as you were then Govr of ye Province, would not have hesitated one Moment to reimburse him, and as I had expended more than thrice that Sum in England on your Acc^t^, & as I finally succeeded in my Attempts in your Favour I expected y^t^ you would have thought it ye least You could do, in answering y^t^ Sum on your own Acc^t^, & y^t^ I should never have heard anything more of it, unless your Desire y^t^ I would consent to your taking it upon y^r^self, & discharging me from that Demand, as had ye Case been mine as it was yours, I affirm I should without hesitation have done, ye only Enducem^t^ to my telling you it was properly my Debt, was y^t^ I feared if I had insisted y^t^ it was or ought to be yours, you might have deferred ye Remittance untill a personal Interview or Settlement between us, & Mr Townsend by y^s^ means be kept out of his Money, Y^r^ Ex: can't suppose y^t^ y^s^ Sum was taken upon yor Credit from a Person y^t^ knew nothing of you, I doubt not I could easily procure from him a Certificate accordingly But if you thought otherwise Your Obligations are to him, & I am content. I think I made y^r^ Ex: in ye Application no small Complim^t^, but how y^r^ Ex: can charge me with Interest on y^s^ Sum borrow'd of my Friend, I can't conceive unless you paid it, & in y^t^ Case I will readily reimburse it, as I will do if you afford me no Money ye Ballance of ye Sterling Account which I did not know was due, nor am I sensible it yet is, untill I enquire into ye Sum I gave you my Bond for, wch included y^e^ £300: your Ex: can't think I ever intended to have accepted this pittifull Ballance of £16. 15. 6 for my Expence & Services on y^r^ Acc^t^ at London; no S^ir^ I scorn it, & will never give You an Opportunity of Ballancing y^r^ Acc^t^ wth me in such wise as you now pretend, & if in y^r^ Law or any other Practice you have any Subsisting demands on me, I begg to know w^t^ it is, & you shall not be an hour w^thout^ your Pay, if I find its not part of ye many little Demands, wch to my Remembrance you were paid while I was in England — You never brought me in a Bill w^thout^ my paying it, & moreover I gave you a large Portion in Eastern Lands without any Consideration, wch if you apprehend of no Consequence as I really Think from your little Notice of y^t^ Country is ye Case, I will be glad to receive them back in lieu of ye great Expence of time & Money I was at on your Acco^tt^ wch from your Lett^rs^, Mrs Shirleys & mine, & many living Witnesses at London I can now convince y^r^ Ex: I have good Pretence to & in Justice and Equity I think you can do no less, & y^t^ I ought to insist for a Consideration as I now do, & you are well able to pay. If y^r^ Ex: has so happy a Way as this you have laid down to me of Bal-

lancing Acco^{ts}, if you could live but 50 years, & were disposed for Trade, you would infallibly make all America if not Europe, your own Property.

You afterwards are pleas'd to go on to say "You was & still are heartily welcome to such Triffles as I have just now mentioned I assure y^{r} Ex. ye Triffle is so small y^{t} I can't perceive it, or I would thank y^{r} Ex. for it, if it was worth Acceptance, sure S^{ir} it is much more imaginary than ye Obligation you are pleased to say I mention'd to you, wch you are pleas'd to say, wthout a just ground on my part, you'll not take upon yor self: I should be glad to know if there is any thing that's in ye Power of Man to do, that can enduce y^{r} Ex: to think it an Obligation — tho' after all You say, "I freely acknowledge many Proofs of your Attachm^{t} to me there tho' I can't allow your being out of Pocket one Penny for me," this is no more surprising than many other Declarations of your Exc:; I never, I assure y^{r} Ex: laboured a Day more heartily in the Service of my own Family, than I did three Years in Yours, therefore Judge who will, whether ye Consequence thereof would not be attended with a Penny disburs'd out of Pockett, I can't suppose y^{t} ye Numbers of L^{rs} I received from you while in London wth a Number of Proofs of your (I won't say imaginary) Zeal &c^{t} for his Maj'^{tys} Service, L^{rs} inclos'd to great Numbers of different People, Certificates &c^{t} Cost me less Money than ye poor Ballance wch I before noted, I hope You'll in due time have a proper Idea, of w^{t} I have done for your Service, & from ye Papers found y^{s} Morning I shall no doubt be able to give you, (when Ive leisure as its possible I may hereafter have much) ye needfull Specimens to convince you y^{t} I was not so insignificant to Your Interest as you & only You S^{ir} can imagine, for I am certain all your own Family y^{t} were at y^{t} time capable of Speculation must know & have Sentiments of these things different from what Y^{r} Ex. now expresses, sure Miss Wilmott who wrote many of your L^{rs} may Refresh Y^{r} Ex: Memory about some things That may have slipt it, & to her for ye present I begg leave to Appeal and could She be prevailed on to think herself a proper Person I would submit the whole to her determination, & be ever silent hereafter or form my Expectations from her declarations, which must be y^{t} your Exc: is at least very forgetfull.

I am obliged to y^{r} Ex: for proposing to make me such an Allowance for my trouble in paying of my Regiment as would be satisfactory to any reasonable Gent^{n}, wthout interfearing wth ye Kings or Soldiers Right, also for ye Command you bestow'd on me after my Return from Louisbourg; on wch Occasion you are pleased to remark as follows "And I must needs say, that considering your late Regiment was ready raised to your hands before you return'd to Boston

from Louisbourg or it was known whom I should appoint to Command it, & did not as I ever hear'd add ten Men to it of your own raising & y^t^ Mr Knowles & I have given you a Certificate for Pay of 30/ Sterl^g^ ℔ Day for your Command as General — over & above Your Pay as Colonel of your late Regiment, I am sure you will have no Reason to complain of ye amount of your Pay & Perquisites & that I have not had a just Regard to your Interest as well as savings for ye Crown," I apprehend S^ir^ upon a Scrutiny into ye Rolls y^r^ Ex: will find y^t^ scarce one halfe of ye Regiment was raised on my return from Louisbourg on ye 26th of June, & y^t^ you may remember my Serviceableness in raising no very small part of your Regiment there, and sure I could not be here at ye same time I was doing duty there, & after my return I made no such Attempt to ye raising my Regiment here, nor was it necessary, & I should not have taken the Enlistm^t^ of a Man, had not one or two Fellows insisted on enlisting with me & no other Person. but at Louisbourg ye Number I enlisted was not limitted to so few as 20 times ten & unless I had there appear'd in behalf of your Regiment; prompted thereto by specious Promises. You would have had as few Men there as I raised for my late Regiment here, if y^r^ Ex: had bestow'd ye Command on ye Officer who rais'd ye most Men, One y^t^ is now a Subaltern would probably have had it, but I apprehend y^r^ Ex. must be sensible y^t^ ye Eyes of ye People were on me for ye Command, & I am very much obliged to Mr Warren which I shall always acknowledge for his Friendship in this Affair, tho' I cant suppose I then needed an Advocate wth y^r^ Ex:

I am also obliged to y^r^ Ex: and Mr Knowles for ye Pay given me of 30/ ℔ Day, tho' I then was & still am of Opinion that Allowance to me was not equall to ye Pay I might have expected wch I apprehended should have been at least 50/ Sterl^g^ more a Day, wch had it been accordingly given me, I should not have had a less right to ye Perquisites of ye Regiment wch is all I now claim, & if your Ex. abridge me in any Reasonable part thereof, I apprehend S^ir^ it will be a Violation of ye Publick Trust as well as a manifest Injustice to a private Man, & upon y^s^ y^r^ Ex. declaration that Affair will at Present rest.

The Paper I mentioned to y^r^ Ex. I cant suppose if mixt wth y^r^ other Papers will be found before yor Departure, but if in yor Absence Mr Shirley has y^r^ directions for searching for it, & letting me see it Cancell'd I shall esteem of ye favour.

I am sorry y^t^ I have been under a Necessity of going into y^s^ Length, but if it convinces y^r^ Ex: y^t^ you are mistaken in any one Point, more especially my London unrewarded Services I shall have therein ample Satisfaction, and if ye Concessions I have made should

have ye further & more desired Effect of ye Adjustm^t^ of all ye Dependancys of ye late Regim^t^ & y^t^ no future Cavils or Uneasiness may arise I shall think myself happy Truth y^r^ Ex : has often formerly said will have its weight, & I hope you have latterly experienc'd so, tho' you have in a few Instances been pleased to quarrel with me for too closely adhering to it on some points in a former Lett^r^ as well as late one to you ; If I have been at this Juncture too free in declaring myself you'll I hope excuse me & if I have discovered any Warmth y^r^ Ex. has given ye sole Cause therefor & will I hope overlook it.

In fine S^ir^ I think I have offered a Complyance wth every reasonable thing you can propose, & by giving y^r^ Ex. all the Pay Rolls I have fully done my part already, ye giving Bonds I never intended, engaged or agreed to do, wch is an unreasonable Demand in this Case, but if ye attested Copy of ye Vouchers will answer every Purpose y^r^ Ex. intended thereby — wch if customary or required in Great Britain to be given in You shall have to send there, w^n^ I have compleated my Paym^ts^ and moreover on your giving me sufficient Bonds of Indemnity you shall in y^t^ Case also have ye Originals w^n^ ye Pay of ye Regiment is compleated and as I am by ye Act of Parliam^t^ a principal Party I cant think either of these can with any Propriety or right in y^r^ Ex : be Demanded of me, I am not a Clerk or Agent to y^r^ Ex. in y^s^ Affair, but have yet ye Power of Acting as Colonel of a Regiment in every thing depending, tho' you are pleased to say I have not. Y^r^ Ex. on Acco^t^ of ye Regiments being broke may as well dispute my right to my own Pay. If as I said in my former an Inspection & ye nicest Scrutiny of any Persons you shall appoint as to ye genuiness of ye Ballance of my Acco^t^ of £1805. 11. 4¾ Sterl^g^ wch some days since I exhibited to y^r^ Ex. by M^r^ H — in order to obtain a Reimbursem^t^ of y^t^ Sum wch I am actually in Advance will answer your Ends you shall have all ye imediate Satisfaction you please on y^t^ head, wch is as great a Concession as I can possibly offer towards making y^r^ Ex. easy in this Affair ; Y^r^ Ex. declaring y^t^ I have no Right to my own Vouchers is I think as extraordinary in its Nature as any thing I ever heard of, sure no Person on Earth can think y^t^ any other than myself has ye least right to them, tho' a Sight of y^m^ I have not deny'd nor ever will I to anyone, I have done nothing thro' ye whole Course of y^s^ Affair, But I can justify to his Maj^ty^, who I can't suppose will ever think on these Affairs, should they come before him as y^r^ Ex. does all y^t^ I expect is, y^t^ y^r^ Ex. now makes good to me ye deserters as well as dead Mens Pay, & y^t^ ye remaining honour of ye Regiment rest with me, as to any Extraordinary Allowance You propose for ye trouble You may justly apprehend I have had in paying of ye Regim^t^, I can't fairly expect any, therefore I utterly renounce any thoughts

thereof being satisfied with my Perquisites, which I will not share with any One.

I have since writing ye foregoing receiv'd Yr Excys of this date in return to ye few Lines I wrote you Yesterday Morning desiring you would be pleased to explain yrself as to ye Pay of ye Deserters Which had I receiv'd in time might have govern'd me in my aforegoing Answer, & drawn our depending Affairs nearer to a Close — but I find nothing in Yr Ex. Lettr but yr Expectation of my final Resolution, whether I will account with you or not, & a Recital of wt I wrote yr Ex. ; & you finally conclude yt you look upon that Letter of mine to be no Answer, the Purport of it carry'd no such Appearance, & I should have been surpriz'd if you had taken it to be an Answer, but I am much more so yt yr Ex. is thus unkind in keeping from me yr real Intention to wch I am as much a Stranger as ye dead of my late Regimt are, how long I shall continue so is not easy to judge, but ye Mystery will doubtless be known at London where I shall as soon as possible make ye needfull enquiry wt I have done to deserve this uncommon cruel, and unkind Treatmt. I am in the meantime with all due respect

Yor Ex. Most Faithful & Obedient Humble Servt

Boston July 8th 1748

P S Your Ex. would not answer me as to ye Affair of ye deserters, but Mr Hutchinson tells me yt you & Mr Knowles settled yt Affair, & yt no Pay is to be allowed for them, I was as much deceived as impos'd on in this Affair, wch its very strange should be to ys very day kept a Secrett from me ; the Reason of its being so I can no other ways Account for, than that yr Ex. must know I would not have concern'd myself wtb ye Paying the Regimt, in wch I have spent above Eight Months time, wch Confinemt has brought me into such a Habit of Body, that I shall never get rid of — The dead Mens pay will not be of ye Consequence of £100 Sterlg that unless I condescend to realize a part of ye Contingencys wch God forbid, I shall not receive Porters Wages by this Scheme which I have a Right to dissent from, Yr Ex. well knows what pass'd between us on this Head, and that I am actually deceived herein,

I can't think ye Affair was known to Mr Knowles I take him to be a Man of more Generosity & Honour than to have omitted informing me of it ; I believe that Mr H —— is mistaken & yt its done since ye declining ye £1400 present ; when that was agreed on, I am persuaded You promis'd me & Colo Dwight every Perquisite incident to a Regimt & ys you dont deny, tho' you say you don't remember. But you must needs think Sir, that had such a determination as this of stripping us of ye Benefit of Deserters been taken previous hereto,

& it had been known to Brig: Dwight & myself, the Contribution towards your Sumpture, & defraying ye Expence of your pious Deeds, & charitable Designs part of wch last was enjoyn'd you, you are pleas'd to say, by your late (most excellent) Lady in her last Minets, would not have rose as it did; I can't suppose S^ir^ it would have amounted to more than one of those Triffles, to wch you told me I was welcome, be pleased to know that ye whole of y^t^ Subscription was owing to our favouring it, wch you could not have expected had your Scheme about ye Deserters been known.

Mr Hutchinson was with me this Evening & assure me that you are determined not to send home ye Vouchers, & y^t^ you are convincd there is no Occasion for it, & y^t^ I may rely on it y^t^ you want them only for your own Satisfaction, should I give y^m^ to y^r^ Ex: tis possible you might afterwards determine otherways, for if you have y^m^ & do not send y^m^ home accordingly; how can you dispence wth ye Promise You have given ye Paymaster Genl or ye Injunctions of his Maj^ty^ on y^s^ Head communicated as you are pleased to say by his Grace ye Duke of New Castles Letter — But I think Y^r^ Ex^cy^ may possibly have ye Views of paying off ye remaining Living Dead, & Deserters yourself, by your now afresh desiring a List of the Men unpaid, which I cant with Safety or Propriety give Y^r^ Ex:, but will myself when I am enabled by Y^r^ Ex. or otherways to do it, Pay all those that have just Claims their full due, & for y^r^ remainder, I shall choose to be determined in Great Britain.

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 267.]

Boston, Aug^st^ 24, 1748

Sir — I am sorry to hear by my sons y^t^ they left you indispos'd with a flux, and hope you are by this time recovered

The occasion of my troubling you with this, is to desire the favour of you to furnish me with the accounts of the charges incurr'd on account of the late intended Expedition ag^st^ Canada in your Excellency's Government, y^t^ I may transmit 'em to the Secretary of State's office liquidated and adjusted according to his Maj^tys^ orders signify'd to Mr. Knowles and me in the Duke of New Castle's letter, as soon as will suit your conveniency: For I am uneasy lest I should be blam'd for delay in the execution of those orders.

Mr. Clinton and I parted with the Indians at Albany as fair as could possibly be expected: But I doubt the two Castles of the Mohawks

will regret the opportunity being taken away by the peace, of revenging the loss of some of their principal men.

I beg the favour of you to make my Compliments Acceptable to Col. Atkinson, and am wth great regard and esteem, Sir,

Your Excellency's most obedient, Humble Servant

W. Shirley.

His Exc^y^ Govr Wentworth.

[4–66] [*Order to Captain Job Clement.*]

Portsm^o^ September 26 1748

S^r^ I am Comanded by his Excelency the Governour to Inform you that tis his Orders that on the 30th Instant you Dismiss the men under your Comand from the Service and that you take no more Provision from the Store then may be absolutely necessary for carrying them to their respective Places of Abode or from whence they were Impressed

By his Excelencys orders from Your ffriend

Theodore Atkinson

the men must be upon Duty till the last of this month & then Discharged —

To Capt Job Clements at roster [Rochester]

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 268.]

Boston, Septr 27, 1748.

Sir — Having reason to be under some concern from my last letters, least inconveniences should arise from my delay of transmitting home the acc^ts^ of the Expedition ag^st^ Canada, wch wait only for your Excellency's, I hope you will excuse me, if I beg the favour of you to quicken those of your Troops; and to let you know I was oblig'd to send an excuse to the Secretary of State for my delay by the last ships; and y^t^ I must at all events send the acc^t^ home by the mast ships, whether your Excellency's are ready or not; and you will be pleas'd to consider, it will take me up some time to extract, and liquidate yours, and reduce 'em into a part with the others, before I can transmit 'em. I am with great regard,

Sir, your Excellencys most obedient, Humble servant,

W. Shirley.

His Exc^y^ Govr Wentworth.

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 271.]

Boston, Novr 7, 1748.

Sir — I would beg the favour of your Excell^{y} to deliver the inclos'd to my Son and Mr. Mark Wentworth; and take this opportunity of acquainting you y^{t} Major Gilman presented three Muster Rolls of a Company mention'd to have been muster'd by him as Captain, under the seal of this Province with Certificates for me to sign, certifying y^{t} the attestation of Colonel Moulton before whom they were sworn as a Justice of the Peace, was such an one as ought to have Credit given to it, and also several papers purporting to be copies of your Excell^{ys} Orders to him to raise a company, examin'd by Notary Publick Moulton, & others sworn before him, to be certify'd by me in like manner under the province Seal; w^{ch}, as I took to be irregular, I refused signing; whereupon he went and demanded the Province seal to be put to 'em of the Secretary, by a notary publick, wch was refused then by him, and Gilman has got the demand and refusal exemplified by the Notary Publick; and had his papers afterwards put under the notary publick's seal — all wch I thought it would not be improper for me to apprise your Exc^{y} of, as I suppose his papers are design'd to be made use of agst you in England. I am with great regard and esteem

Sir, your Excellency's most obedient, Humble servant

W. Shirley.

I suspect an old friend of yours to have instigated Gilman to make a demand in form of the province Seal.

His Exc^{y} Govr Wentworth.

[*Shirley to Wentworth.*]

[Belknap Papers, Vol. II., p. 272.]

Boston November 28th 1748

Sir — The Secretary of this Province having by order of the General Assembly sent your Excellency their Proposal for a meeting of Commissioners from the several Governments in New England, for agreeing upon such matters in relation to the money allow'd by Parliament for taking Cape Breton, as may be for the Publick Benefit; and the affair being of great moment & the season requiring that it should have the quickest Dispatch that may be, I must intreat your

Excellency to let me have your answer thereupon as soon as may be.

So far is the Secretary's. I would add y^t^ I believe as this meeting of the Comm^rs^ is proposed among other things to agree upon a Scheme for putting an End to the paper Currency : Your Exc^ys^ showing yourself active in it would be acceptable at home.

I am with great wth great regard & esteem

Sir, your Excell^ys^ most obd^t^ Humble servant

W. Shirley.

His Excel^y^ Govr Wentworth

[4–67] [*Precept for the Election of Assemblymen*, 1748.]

Province of New Hamps^r^ } George the Second by the Grace of God, of Great Brittain France And Ireland King, Defender of the Faith &c^a^, &c^a^.

Province Seal To the Sheriff of Our Province of New Hamps^r^ aforesaid Greeting

We Command You forthwith to make out Precepts Directed to the Select Men of Portsmouth, Dover, Hampton, Exeter, (Newcastle & Rye Joyntly) Kingstown, Hampton Falls, Newington, Stratham, Londonderry, Durham, Greenland, Newmarkett, South Hampton, Chester, Haverhill District, (Pelham & Methuen Joyntly) The Towns of Dunstable, Merrimac, Holles, Monson, And Nottingham West Joyntly, And the District of Rumford, All within Our Province of New Hamps^e^ aforesaid, Requiring them to Cause the Freeholders of their Respective Towns, Parishes and Destricts, As before Recited, Legally Qualified, to assemble at Such time & place As they the Select Men shall respectively Appoint, Excepting New Castle & Rye whose freeholders Legally Qualified Are to assemble at New Castle Also Excepting Methuen & Pelham, whose freeholders are to assemble at Pelham, And Excepting the Towns of Dunstable, Merrimac, Holles, Monson, And Nottingham West, whose freeholders Are hereby Directed to assemble at Dunstable, The Said freeholders being Notified fifteen days before the day of their Meeting Then and there to Elect fit Persons Qualified By Law to Represent the Said Towns, Parishes And Districts, in General Assembly, by Us Appointed to be Convened and Holden at the Court House in Portsmouth on Tuesday the Third day of January next at ten of the Clock in the forenoon, Viz^t^ Three persons for Portsmouth, Three for Dover, Two for Hampton, Two for Exeter, Two for New Castle & Rye to be Chosen at a Meeting of both Towns or Parishes Joyntly at New

Castle, One for Kingston, one for Hampton falls, One for Newington, One for Stratham, One for Londonderry, One for Durham, One for Greenland, One for New Markett, One for South Hampton, One for Chester, One for Haverhill District One for Pelham & Methuen, to be Chosen at Pelham by the freeholders of Pelham and Methuen Joyntly, One for the Towns of Dunstable, Merrimac Holles Monson, And Nottingham West, to be Chosen at Dunstable by the freeholders of Said Towns Joyntly And One for the District of Rumford — And to Cause the Persons Elected by the Major part of the Electors present at Such Elections to be then forthwith Summoned by One of the Constables of the Said Respective Towns Parishes And Destricts to Attend on Said Service in the General assembly at the time And Place herein prefixed, And so De Die in Diem, during their Session or Sessions And to Return the Said Precepts with the Names of the Persons so Elected to your Self whereof you are to make a Return together with this Writ And your Doings thereon Under your hand into the Secretarys office at Portsmouth aforesaid On or before the aforesaid third day of January Next at ten of the Clock before noon

In Testimony whereof We have Caused the Seal of Our Said Province to be hereunto affixed Witness Benning Wentworth Esqr Our Governour And Commander in Chief in and Over Our Province of New Hamps^{e} aforesaid the 12th Day of Decr 1748 in the Twenty Second year of Our Reign

B Wentworth

By his Excellencys Command with the advice of his Majestys Council Theodore Atkinson Sec^{ry}

Province of New Hamps^{r} } Jany 3^{d} 1748 Pursuant to the Kings Writ Under the Seal of the Province aforesaid to me Directed I have Issued precepts to the Select Men of the Several Towns & Precincts Named in Said Writ, And the Persons Returned are as follows Viz^{t}

James Clerkson Esqr Mr Henry Sherburne Merch^{t} Eleazar Russell Esqr	Portsmouth
Thos Millet Esqr Thos Davis Esqr Capt John Wentworth	Dover
Mr Joseph Philbrick Richard Waldron Esqr	Hampton
Peter Gilman Esqr Mr Zebulon Giddinge	Exeter

Thos Bell Esqr
Richd Jenness Esqr } New Castle & Rye
Ebenezer Stevens Esqr Kingston
Meshech Weare Esqr Hampton falls
John Knight Junr Newington
Moses Leavett Esqr Stratham
John Macmurphy Esqr Londonderry
Jonathan Thomson Durham
Clemt March Esqr Greenland
Edward Hall Esqr Newmarkett
Samuel French South Hampton
Abel Morss — Chester
——— ——— Haverhill District
Thos Packer Esqr Pelham & Methuen
Joseph Blanchard Esqr { Dunstable, Merrimac, Holles, Monson, Nottingham West
John Chandler Rumford

Thos Packer Sher

Copy Examd M Weare Cler Dom. Rex —

[4-71] [*Shirley to Wentworth, concerning some Indians.*]

Boston June 3d 1749

Sir, The Occasion of this Letter is to acquaint your Excellency, that there are now in Boston nine Indians, six of the Penobscot Tribe & three of the Norridgewalk, with whom I have had divers publick Conferences, who declare themselves to be sent hither by the Indian Tribes of St Francois & St John's River, as well as their own, & impowered by those Tribes to assure us of their Disposition & Desire to make Peace wth the English Governments, and to appoint a time of Meeting for such Treaty; And I have accordingly appointed the 27th of Septr next for the time of their Meeting us at Falmouth in Casco Bay. And as this Governmt apprehends that it will be of great Advantage for the Success of this Affair, that all the neighbouring Governmts concerned in the late War should be represented by their Commissrs at this Treaty, I desire that your Excellency would please to send Commissioners from New Hampshire to join in the Negotiations in behalf of your Province. — As it has always been the Custom to make Presents to the Indians upon the Conclusion of a

Treaty, We have provided for such Presents as we judged necessary for our selves, I shall write to the Governours of Connecticut & Nova Scotia. I am with great regard

Sir, Your Excellency's most Obed^{t} Humble Servt

W Shirley.

His Excellency Benning Wentworth Esqr

[4–72] [*Duke of Bedford to Governor Wentworth.*]

Whitehall 4th August 1749.

Sir In consequence of the Agreement between the Crowns of England & Spain by which it was Stipulated that all Hostilities in the American Seas, shou'd cease between the two Nations Six Weeks after the King of Spain's Accession to the Preliminary Articles on the 28th June 1748. — which Term consequently expired on the 9th of August following, His Catholick Majesty has been pleased to direct a general Order to be sent to all His Governors, requiring them, to make restitution of all English Prizes taken after the said 9th day of August 1748. as will more fully appear by a Copy of the said general Order which I herewith transmit to you authenticated by a Notary Publick. I have His Majesty's Commands to Signify His pleasure to you, that you do give publick Notice of the said Catholick Kings said general Order to all His Majesty's Trading Subjects under your Government, and likewise that you do assist to the utmost of your Power, all His Majesty's Subjects who may have any Claims on this Occasion

I am Sir Your most Obedient Humble Servant

Bedford

P. S. You will likewise receive herewith inclosed a Translation of His Catholick Majesty's General Order to his Governors.

Govr of New Hampshire

[*Copy of a Document Presented to the New Hampshire Historical Society, in* 1875, *by Robert C. Mack, Esq., relative to Fort Dummer.*]

[MS. Collections, Vol. I., p. 68.]

Monday August 21 1749

Set out for Fort Dummer and reacht as far as Dunstable to Coll^{n} Blanchards & Capt Goffe as Far as Groton —

To Expences

at Smiths ferredges	0.	2.	6
at Thos Parkers	0.	4.	0

at Capt Cummings ferredges	0.	1.	6
Shooeing my horse at Deacon hall [?]	1.	2.	0
at underwoods	0.	3.	0

Lodged at Colln Blanchards

Tuesday 22d at kenndles	0.	1.	0
at Moores		—	
at Narragansett No 2 Daniel Hore	1.	19.	11
att Nitchawoag at Farnsworths to Entertainment	1.	16.	0
at Squire prentices	2.	14.	0
at Moores Groton 0. 15. 0 Ditto 0. 3. 0	0.	18.	0
at kenndles Dunstable	1.	2.	0
at Lovewells 0. 5. 0 — at underwoods 0. 10. 6	0.	15.	6
	9.	19.	5

Monday Sepr 3d 1749

Set out for portsmouth and reached as far as Kingston that Day.

To Expences

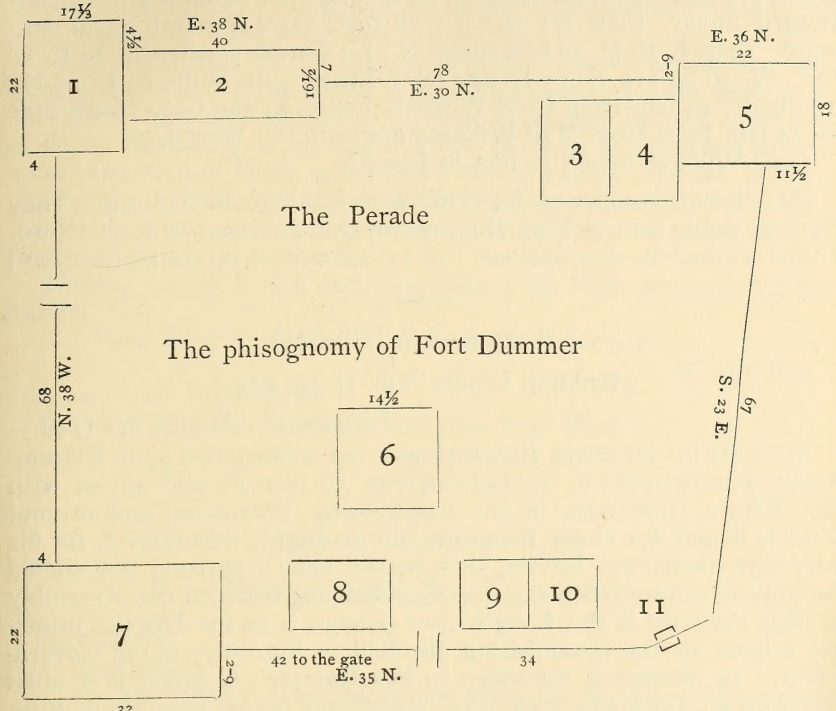
at Capt Talfords 0. 14. 0 — at Capt Lights 0. 2. 6	0.	16.	6
at Greenland 0. 8. 0 — at Mrs Priests 0. 4. 8	0.	12.	8
Ditto [Mrs. Priest's] 0. 8. 0 — at Mrs Feasies 0. 9. 0	0.	17.	0
at Chases 0. 16. 0 — at Judgkins 2. 10. 0	3.	6.	0
at Mrs Blairfields [?] 0. 10. 0 — at Moreys 3. 0. 0	3.	10.	0
	9.	2.	2

Capt Goffe at Moores at Groton	1.	2.	0
at Squire prentices 3. 15. 6 — Ditto prentices's 0. 9. 6	4.	5.	0
at paquag 0. 16. 0 — at Nitchawoag farnsworths 0. 12. 0	1.	8.	0
at Lieut hores Narragansett No 2	0.	7.	0
at Judkins 2. 3. 0 — at Graves 0. 6. 0	2.	9.	0
	9.	11.	0

at habbaka 0. 4. 0 — at Graves 0. 16. 6	1.	0.	6
at Blairs	0.	5.	0

Paid by Mr Thos Parker

[*Plan of the Fort, by M. Patten. Reduced.*]



Stockadows round the Fort

1. Major Willards house Built by y^e^ province a Cannon Mounted in it.
2. Built all the out side by ye province.
3. Lieu^t^ Butlers house.
4. Coll^n^ Willards house.
5. Province house a Cannon mounted in it.
6. Citydale. [14½ feet square.]
7. Coll^n^ Willards house — Built by ye province.
8. Coll^n^ Willards house.
9. Saml Ashleys house.
10. Coll^n^ Willards house.
11. Watch Box.

Fort Dummer ℔ M: Patten — August 26: 1749
August 30: 1749

N. 38 W. Beginning at the S. W. Corner of the fort running Sun wise 22 feet Bredth of Coll^n^ Willards house 4 feet notch then the same point 68 feet to Maj^r^ Willards house — The Maj^rs^ house parelel

with the Col^{ls} 22½ feet — true [?] angle at the Corner of the Maj^{rs} house 17½ feet 4½ Squar inward then E : 38 : N : 40 feet 7 feet notch inward Squar then E : 30 : N : 78 feet 2 feet 9 inches Squar outward then E 36 N. 22 feet to the N : E : Corner — then S. 36 E. 18 feet W. 36 S. 11½ S. 23 E. 67 feet. From Coll^{n} Willards E. 35 N : 108 feet 42 feet from Coll^{n} Willards house to the Gate South Side — 24 feet Back from Maj^{r} Willards house to the West Gate

Coll^{n} Willards house 32 feet in Length

[Matthew Patten and John Goffe were residents of Bedford. They were probably sent to Fort Dummer by the Governor or Legislature. In the original the descriptions, 1 to 11, are written on the plan. — Ed.]

[*Wentworth to Shirley.*]

[Belknap Papers, Vol. II., p. 274.]

Portsmouth, August 27, 1749.

Sir — By his Majestys Instructions I am commanded upon Extraordinary Emergencies in my Government to consult and advise with the King's Governors in the neighboring Provinces; and as your Exc^{y} is bound for Great Britain it will be highly necessary & for his Majestys immediate service, that before your departure, you should be fully acquainted with the dispute subsisting between the Assembly of this Province & the King's Govr inasmuch as the Dispute principly relates to the Establishing the King's Authority in my Government. In obedience therefore to His Majesty's Commands I must insist on an Interview with your Excellency before your Embarking for Great Britain, at Portsmouth or any other place you may think more proper, but as I have many records of the General Assembly to lay before you, & many more you may Occasion to call for, it can't be so well attended at any other place. I shall hope for your answer by the return of my Express, & to have the exact time of your being on the lines of this Government. I am, Sir

Your Excellency's most obed^{t} & humb^{e} servt

B. Wentworth.

[*Answer to the Foregoing.*]

[Belknap Papers, Vol. II., p. 275.]

Boston, Augst 28, 1749.

Sir — I am sorry your Exc^{y} should imagine I could sail for England without giving you timely notice to favour me with your com-

mands, and I hope you are persuaded y^t^ it will be a singular pleasure to me to have it in my power to do you any good offices, which I shall not fail in doing when it is.

Your letter will be in time, I believe, to reach me by the next Sunday come Sen'night, altho' it would be safest to have sent it by next post : But the service of my own Governm^t^ and my short stay make it absolutely impossible for me to have an interview wth you before the Man of Warr sails ; and I find as things turn out, if I lose my passage in that, I shall lose it for this year ; therefore hope your Exc^y^ will excuse me ; and y^t^ your commands may be communicated to me in a letter.

Wishing you all health and happiness, I am with great regard and esteem, Sir,

Your Exc^ys^ most faithfull and obedient servant —

W. Shirley.

His Exc^y^ Govr Wentworth.

My service to Col. Atkinson and your Bro. Mark.

[*Copy of Warrant*, 1749.]

[Belknap Papers, Vol. II., p. 276.]

Province of
New Hampshire
Seal

To Jotham Odiorne Nathl Meserve, & Henry Wallace in Portsmouth.

The Hon^bl^ the Commissioners of His Majestys Navy, haveing by their letter to Messrs Apthorp Wentworth & Co bearing date Navy office 19th Novr 1748 ; Signified their desire that the said Apthorp Wentworth & Co should Supply His Majestys Navy Stationd at Antigua, under the Command of Capt Francis Holbourn, with Such Naval Stores, as the Storekeeper should give orders for, & Inasmuch as Capt Holbourn has by His letter to Said Gentlemen dated on board His Majestys Ship the Tavistock, in Carlile Bay at Barbados July the 20th 1749, given orders, for Sundry Masts & other Naval Stores —

You the said Jotham Odiorne, Nathl Meserve & Henry Wallace are hereby desired, to Inspect the Accoants, that shall be laid before You by the said Apthorp Wentworth & Co of the Cost & Charges of the Said Naval Stores, Represented to Me to be Shipt on board the Snow Lorrain George Meserve Master for English Harbour on the Island

of Antigua and report to me whether the Cost & Charges are Just & Reasonable, according to the prices paid in this place for the Same Species of goods, allso to settle & adjust the fr^t^ for the said Naval Stores and the usual & Customary Exchange between this place & Great Brittain in order to the Said Apthorp Wentworth & Co being reimbursed the amount of their Account, by bills on The Hon^le^ the Com^rs^ of His Majestys Navy, & report to me your doings hereon

Given under my hand & Seal at Portsmouth Oct^o^ the 10th 1749

B Wentworth.

[*Report of Committee Named in the Foregoing*, 1749.]

[Ibid, p. 277.]

Pursuant to your Excellencys Order of 10th Oct^o^ Having examined, the foregoing Messrs Apthorp Wentworth & C^os^ Acc^s^ of Navall stores purchased by them for His Majestys Service On board the Snow Lorrain George Meserve Master for English Harbour in Antegua, as appears by the bills Laiding and Invoice Exhibited to us — Do find the whole to be just and reasonable — Charged, according to the rates and prices, such goods were at Amounting to One thousand, three hundred thirty one pounds Seventeen shillings & five pence Old tenor, and that two hundred pounds Antegua Currency, is no more than the Just pay for the height of said goods — We Judge it Just and equal, that the Bills to be drawn On the Honble the Commissioners of His Majestys Navy, be at the rate of Nine hundred & fifty pounds Old tenor for One hundred pounds sterling. the same making thereby One Hundred & forty pounds, three shillings and Eleven pence Sterling — Witness Our hands —Dated att Portsmouth October 18th 1749. —

J Odiorne
Nath Meserve
H : Wallis

[4–73] [*Proclamation relative to Peace with the Indians*, 1749.]

Province of New Hamp } By his Excelency Benning Wentworth Esqr Captain General Governour & Commander in Chieff of his Majesties Province of New Hampshire afores^d^

A Proclamation —

Whereas at the request of the Indians of the Ponobscot Noridgwolk Arrasagontacook & Wowenoch and other Tribes of Indians

Inhabiting within his Majesties Territorys of New England who have Lately been at war with this Province — A Treaty was begon & held at Casco bay upon the fourteenth of October Last between Comissioners by me Appointed and Impowered for that Purpose and the Indian Chieffs & Deligates & other Indians of & from the afore Said Tribes and upon the 16th of the Said month Articles of Peace & friendship between this Government and the Said Indians were Agreed upon & finally Settled —

I have therefore thot fit with the Advice of his Majesties Council to Issue this Proclamation that all Persons within this Government may be Duely Informed of the Peace concluded as aforesd hereby Strictly Commanding all his Majesties Loveing Subjects to Observe Inviolably the Said Treaty of Peace & friendship and not to Comit any Acts of Violence, or Hostilities against the Said Indians or give them any Trouble, or mollestation but on the Contrary afford them all necessary Comfort and Assistance as Occasion may require — Dated at the Council Chamber in Portsmo the 13th Day of November Annoq Domini 1749 B Wentworth

By his Excelencys Comand with advice of Council

Theodore Atkinson Secry

God Save the King

[Copied from the original. — Ed.]

[4-74]

[*Lieutenant-Governor Phips, relative to Exchange of Prisoners.*]

Boston Novemr 9th 1749. —

Sir, I am informed that his Excellency Governour Shirley had setled an Agreement with the Governour of Canada so far as related to this Government that the Charge of transporting English Prisoners should be defrayed by the English Governments and the charge of transporting French Prisoners by their Government, and that upon his Excys informing the Governours of the neighboring Colonies, the most of them had signified their approbation of this method, I am likewise informed that in the Year 1746 there were brought into this province in a Flagg of Truce sent by the Governour of Canada called the La vierge de Grace a great number of English Captures some of them being Europeans but the most of them belonging to the English Province's and Colonies in America, and that about the same time

his Excellency had sent a Flagg of Truce to Canada with French Prisoners at the Expence of this Government, and that his Excellency sent circular Letters to the Governours of the English Colonies aforementioned with Lists of the several Prisoners belonging to their respective Governments wherein he informed them that as soon as the Acco^{ts} of the charges of the Flaggs of Truce & the proportion of the several English Governments thereto were Adjusted he wou'd send them to the said Governours that so they might Reimburse the Governour of Canada what Charges he had been at for transporting the English Prisoners belonging to their Government Soon after this the Court house in Boston was Burnt & therein all the Papers relating to the fitting out the French Flagg of Truce, which made it necessary that those Accounts shou'd be had from Canada in order to State the particular part each of the English Governments ought to bear to the Charge of Transporting their Prisoners ; and I find the said accounts sent here a little before Governour Shirleys Departure and an Acco^{t} has been stated between the said Governour Shirley, and the Governour of Canada, and sent to Quebec by a person gone there for the Redemption of Captives and the Governour of Canada has been Assured that all Possible care should be taken for Recovering from each Governm^{t} their proportion of the Charge. I shall now Send Your Excellency a Copy of the Account by which you will perceive the number of Persons belonging to Your Governm^{t} is six and the proportion of the charge £174. 8. 5. which I must Pray Your Excellency would cause to be paid into my hands as soon as may be, and the same shall be remitted to the Governour of Canada, and I doubt not Your more ready Compliance when You consider as appears by the Account that this Province will be Obliged to Pay in proportion beyond any other Governm^{t} as the greatest part of the Charge of the Europeans & other uncertain Persons both in this Vessell & another sent to Louisbourg will fall upon them.

I am Sir,

Your Excellency's most Obedient & most hum^{ble} Servant

Phips

A List of Prisoners which arriv'd at Boston from Quebec in the Ship La Vierge de Grace, belonging to the Province of New Hampshire vizt

David Woodall	Caleb Burbank	Benj^{a} Woodall
Thomas Woodall	Alexander Roberts	Caleb Wade

A List of the Newhampshire men that Came in the schooner Success Capt Drake —

James Dunlap
Antip^{s} Gillman
Joseph Paul
Ruben Stevens
5 Edward Webber
William Bell
James Clemment
Mathew Tobin
John Gale
10 W^{m} M'Dugle June 8th
Solomon Smith
Mich^{l} Johnson — ℔ Capt Nicholds
Jonathan Barker
Benj Glazier

The Charge of the Ship La Vierge de Grace amounted as appears by the Contract to 10000 Livres, each Livre being valued at ten shillings of the Currency of New England makes the sum of . £5000

The Proportion of each Concern or Interest in said £5000 is as follows

59	Massachusetts Bay			
$\frac{16}{75}$	The same taken at Nova Scotia	. . .	2180 :	4 : 8
29	New York		843 :	0 : 5
6	New Hampshire		174 :	8 : 5
6	Pensilvania		174 :	8 : 5
6	Rhode Island		174 :	8 : 5
2	Connecticutt		58 :	2 : 9
2	New Jersey		58 :	2 : 9
1	Bermuda		29 :	1 : 5
1	Annapolis Royal		29 :	1 : 5
1	Shirley Galley		29 :	1 : 5
9	Maryland		319 :	15 : 4
17	Europeans		494 :	2 : 8
11	Taken in Nova Scotia		261 :	12 : 6
6	uncertain		174 :	8 : 5
172			5000 : ——	

Boston Septem^{r} 12th 1749

Errors Excepted ℔ Jno Wheelwright Comiss^{ry} General

[4-75] [*King's Instructions.*]

His Maj'^{tys} 36 Instruction to His Excelency B Wentworth Esq

36 You Shall not remit any fines or forfeitures whatsoever above the Sum of Ten pounds nor Dispose of any forfeitures whatsoever Until upon Signifying unto the Comissioners of his

Maj'tys Treasury — or the high Treasurer for the time being & to his Maj'tys Comissioners for Trade & Plantations, the Nature & Offence, & the Occasions of Such fines & forfeitures with the Perticular Sums or Value thereof (which you are to Do with all Speed) You Shall have recd his Majtys Directions therein and you may in the mean time Suspend the Payment of the Said fines & forfeitures

Copy Exd T Atkinson Secry

[4-76] [*Quakers in Militia Companies.*]

A L In Capt Waldron Company

Edmond Hodgdon	Richard Cook	Stephen Hanson
John Cook	Daniel Cook	Elijah Hanson
Silas Hanson		

A list of the People Caled Quakers —

Wilm Huzey	Saml Varney	Bed-Feild Sawyer
Paul Huzey	Solon Varney	Thos Varney
Wilm Huzey Junr	Thos Hanson	Ezeikel Varney
Daniel Roberson	Thos Hanson Junr	Zaccheus Varney
Jonathan Varney	Ebenezr Varney	Paul Varney
Stephen Varney	Jeridiah Varney	Zacheus Purirnton
Nathan Varney	Thos Varney	Tobias Twombly
Daniel Varney	Nicolas Varney	Aaron Hanson
Moses Varney	John Varney	Joseph Hanson
Joshua Varney	Timothy Varney	Benja Leigton
Tobias Varney	Jacob Sawyer	John Hanson
Joseph Varney	Silvenus Huzey	

Richard Waldron Capt

[4-77]

Capt Stepen Roberts Company A list of The People Called Quakers —

John Kenny	Ambros Bantom	TimothyRoberson Junr
Moses Roberts	John Twombly	John Kenney Junr
Elijah Tuttle	Maul Hanson	Moses Varney
John Astin	Zaccheus Alen	Umphrey Varney
Paul Astin	John Tuttle 3d	Benja Cromel
Thos Astin	Paul Tuttle	Paul Astin
Stoten Astin	Silas Tuttle	Heard Roberts
Joseph Astin Junr	Ebenezar Tuttle Junr	Benja Roberts Junr

James Varney	wil^{m} Jenkens	Elijah Estes
Elijah Varney	Benj^{a} Gear	Saml Star : But
Timothy Roberson	Joseph Runells	Thos Tuttle
Thos Kenney	Joseph Tibbets	John Tuttle
Saml Pink-ham	John Pink-ham	

Shadrach Hodgdon L^{t} In Capt Roberts Company In Dover

[*Thomlinson to Atkinson. Copy ℔ Bradford.*]

[Belknap Papers, Vol. I., p. 140.]

London 18 9^{br} 1747

Theo Atkinson Esqr

S^{r} — Since my Letter to you of 13th Augt I have not had any of your favours, or have I yet done any thing with Mr Brounker, altho' he has promised to Meet me but I know he has been very busy and so have I with a great many troublesome affairs and especially in examining your province Acco^{ts} together wth the lords Commiss^{rs} of Trade and plantations & the R^{t} Honble the secretary of Warr, there are some palpable Errors therein & great differences between some particular charges and the Vouchers for the same, I have said & done everything in my power to Sett them right, & have hopes that your province will fare as well as the rest I hope soon to Inform you more of this affair and Send you the province Acco^{ts} of what I am in disburse for the province, and which I now Cannot do as I have not time to spare or a hand in my Counting house time to Draw out, You have here Invoice & Bill Lading for the Goods you wrote for, I hope they will arrive safe & please I shall be glad to hear they do

I am S^{r} Yo^{r} hum^{l} Servant

John Thomlinson

[*Thomlinson to Atkinson.*]

[Belknap Papers, Vol. I., p. 141.]

London ye 22^{d} of Novr 1748

Sir I am now to Acknowledge Your Favour of ye 21st of September, and as Soon as the powers you Mention come to My hands I Shall Endeavour to do the Necessary, As to the Bills that the officers have drawn, I find Some of them have been at My house Since

my Sickness, but Nothing can be Said to them untill provision is Made for payment of the fforces raisd for that Expedition. I hope Your Government has Sent Me By the Mast fleet Such power of Attorney and Letter as I wrote to the Committee for, to Enable me to receive for them the £16355. Voted by parliament, And I have wrote the Committees again on that Affair, About 14 days Since Mr Jones paid me for Your Acco^t^ £152,. 10,, 2, which he Says is what is due to You to Lady-day last, And Your Account has Credit for the Same, And You will See it by your Account which Mr Jones Sends you by this Conveyance, I am daily in Expectation of the Mast fleet, by which I Expect to hear farther from you, And Am with great Esteem —

Sir Your Most hum^l^ Ser^t^

John Thomlinson

To Theodore Atkinson Esqr

[*Thomlinson to Atkinson. Copy ℔ Clark.*]

[Belknap Papers, Vol. I., p. 142.]

London ye 15th Mar : 1748/9

Mr Theodore Atkinson

Sir — Since mine on the otherside I have Your Letter of ye 21st of Nov^r^, inclosing Your power of Attorney and Several orders &c, They must all be dormant for Some time For altho I have Your province Accounts, Yet I can do nothing with them untill all the Accounts come from Mr Shirley, Then they are order'd to be Audited by the Lords of Trade, & the Secretary of War as the Louisbourg Accounts were, and as Soon as it Shall be agreed what Sums are due to Each province, for the Charges they have been at in the intended Expedition Against Canada, including officers pay, then the whole Sum will be provided for, & paid to the Agents for Each Collony, when he Shall be properly empowerd to receive the Same by proper powers of attorney for that purpose, under the Seal of their respective Collonys, and it is my opinion, that if the Accounts comes from Mr Shirley Ever So Soon, that not any thing can be done this Session of parliament, and Therefore there will be time Enough for you to Send me before next year, a Compleat List of the officers of your regiment, and the Time they Servd, and the Money due to Each of them, and this will be so absolutely necessary that I cannot tell how the Money due to them can be known, or ascertained, without it, and Such List must be duely Authenticated by you, and the Govr, and then I Shall know what Each officer will have due to him when he Comes to

demand, or draw for his pay, I have wrote to Govr Wentworth concerning Fort Dumer, And which I hope he will Emeadiatly Communicate to the Council, And Assembly, And I hope he and All of you will agree imeadiatly to do Every thing that I have there Advised, and whatever Else may Occurr to you, to prevent the Mischief aim'd at you —

You have by this Ship the Goods You order'd, I hope they will come Safe to hand and will be Agreeable, I Shall be glad to find they are so, and am wth Great Esteem

Sir Your most hum^{l} Ser^{t}

John Thomlinson

Lett the Chaplain & Surgeon if Any, be included in the above List of officers

[Mr. Thomlinson's letter of August 10, 1749, and Mr. Atkinson's of October 19, 1749, are printed in Vol. VI., pp. 886–7, and one from Mr. Thomlinson to Henry Sherburne, Jr., dated November 13, same year, on p. 888. — Ed.]

[*Thomlinson to Atkinson. Copy & Dowers.*]

[Belknap Papers, Vol. I., p. 147.]

London 27th Novr 1749

Theo^{e} Atkinson Esqr

Sir — I am to acknowledge your favour of — And as the Canada & other American affairs are now auditing, & I have so many different concerns therein, I have not more time than to tell you, that I will do all in my power, to serve your Province & you & all concern'd in this affair to my utmost. I have sent to Governour Wentworth Mr Paris's directions for such Papers as will be necessary for your Government, to send properly authenticated, to extricate you from this load, which the Province of the Massachusetts Bay are about to Lay upon you, as you will see by those Papers sent you by Mr Paris, and if the assembly should not be in temper to act with the Governour & Councill, I shou'd think that the Governour & Councill shou'd expert themselves in this Important Crisis. That all those Paper Proofs may be here before it is too Late — I shall do all I can in this affair, if you do but send me the proper Materialls, & am wth great Esteem,

Sir Y^{r} humble Servant

[P. 148.]

Lond° Feby 20th 1749 [1750 N. S.]

S^{r} On the other Side is Copy of my Last, Since wch am favourd with yours of the 17 & 20th Octob^{r} & have Shipt the things you Wrote for, as ℔ Inclosed Invoice & Bill of Lad^{g} Last M^{o} I receed of Mr Jones £38. 16. 10 wch have Carried to y^{r} Credit wch he Says is what was due to you to Mids^{r} last, The Papers you Sent me on Mr French's Appeal, I have put into Mr Paris'es hands, with directions to retain the Attorney & Soll^{r} General in the Cause, and which I understand he has done, and has Since Sent Me the Inclosed papers, to Shew you what is Necessary for you to do farther in this Case, and wch I would have you get done & Sent to me as Soon as possible, I am with great Esteem —

Sir Your most hum^{l} Ser^{t}

John Thomlinson

[*Thomlinson to Atkinson.*]

[Belknap Papers, Vol. I., p. 153.]

London ye 4th of March 1750

Theodore Atkinson Esqr

Sir — Since my last to you I have had your Sundry Favours of ye 18th, 28th, of Augt 3^{d} Sep^{r} & 20th of June by Capt Hunking, and observe what you Say on your Governments affairs, I am sorry to find thing continue So that you must in the End Suffer for it, Tho the Government here has not yet taken into Consideration the State of your Province, and Some other Provinces in North America yet the time must come, and I think cannot be far off, And what can you Expect, When I am at the other End of the Town at any of the great offices, And only Mentions your Province, I am frequently told you are in a State of Rebelion, And This Winter I have been frequently calld up on behalf of your Province, & not only on Account of Fort Dummer & Frenches Appeal (and which I fear you will Suffer in, for want of the papers that Mr Paris has So long Since wrote for) But the West India Planters & Merchants have been pushing hard to Obtain a Law to prohibit all Commerce & Trade whatsoever, between the Brittish Northern Collonys, and all Foreign Sugar plantations, under the Sevearest penaltys, and whether or no they have yet done with it, I cannot tell, But Shall watch their Motion, And now there's a Bill ready to be Brought into parliament, for regulating & Restraining &c the paper Bills or Bills of Credit Subsisting and passing in

Rhode Island, & the other three New England Governments have for this 10 or 14 days Been obliged to Attend upon that Affair, what the Act may Bee if this Bill pass into an Act, I cannot particularly Say, But at present it is to prevent the Making Issueing &c, any More paper Bill or Bills of Credet, without being Authorized thereto by his Majty &c and on Some other Stipulated Emergencys, — And for the Calling in dischargeing & Sinking all paper Bills of Credet now Subsisting & passing, of what kind or denomination what Soever, at the periods Such Bills were to be called in By the Act by which they were Made & Issued, And to prevent any paper Bills of what kind Soever for the future from Being a Legal Tender — And that all payments Shall be Made in Silver Money at And after the rate of Six Shillings for a Sevill pillar or Mexico peice of Eight of Seventeen peney weight, and So in proportion for any Smaller peices of ye Same, or other Silver Coin, — and how Specialtys Are to be paid &c &c, — After the Merchants and others that were possessed of the Bills & Cirtificates drawn &c, for the Money Granted to the province of the Massachusett-Bay, had been long Solliciting the Lords of his Majtys Treasury for the payment of the Same, they were Told By their Lordships in Septr Last, that if I would take the Trouble of takeing the Money, and paying the Same, it Should be Issued to me in the Month of Octr, and notwithstanding the Trouble I then foresaw, and have Since Experienced, yet to oblige their Lordships, and the Merchts, I consented, and the latter End of Octr the money Granted for the Massachusetts-Bay was paid me, And also what was granted to the Province of New Hampshire, I have now paid Away the greatest part of the Money granted to the Massachusetts-Bay, And have allso paid what demands has Appeard for the officers of your regiment, And shall before this Month is out, Send you All the papers And Accounts relating thereto, And also the province Acctt Currant, that they May See what Cash they have here in My hands, And May Agree to Call in And sink their paper Bills, (as the other provinces has done) That would be the most Agreeable thing they could do, And Indeed it is here Expected that they will do it, But if your Assembly will not do it, I hope they will not let (about) £30000 Ster Lye Dead, But will Send proper directions and powers to Me to Lay it out in Some of the Funds, where it may Bring An Annual Income to the province, and not Lye dead as it otherwise must do, and Concequently be a Loss of £900 Sterling or thereabouts ℔ Annum I hope all partys will agree in Makeing So considerable a Saveing to the publick. —

I find that you have Sent to the Massachusetts Government for Authenticated paper, as Mr Paris had directed, relating to the dispute about Fort Dummer, And that you have been denighed them, altho

you offerd to pay for the Same, for God Sake, why did not you demand them by a Notary publeck, and in Case of refusal he the Said Notary Should have properly Set forth his demand, And their refusal and you Should have Had the same properly Authenticated by ye Said Notary, & Sent directly, And that Should now be done with all Speed And sent here, or that affair will be heard, and what can be done without any proper Vouchers, for if you had sent Such proofs of the other provinces refuseing you those papers, as above, I should have gott an order of Council for them, and the Cause put off untill they had them, But a Bare Say in a Letter, that those papers were refused you, will not do, I can assure you I would do Every thing in My power to Serve the province, But I cannot do more than I can, And to tell you the truth, I am quite wiried, and disheartend in Every affair where I appear for your province, and I fear that must be the Case, untill your assembly complys with his Majestys Additional Instruction, your province used to Stand in a quite different Light, and I most heartily wish to See it do So again, And Am with great Truth

Sir Your Most hum^l^ Ser^t^
John Thomlinson

To Theodore Atkinson Esqr Secritary to his Maj^tys^ Province of New Hampshire

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[*Thomlinson to Atkinson.*]

[Belknap Papers, Vol. I., p. 154.]

London ye 4th of March 1750

Sir I have Just now Wrote to you on Affairs relating to the Government, I am now to take notice of your own private affairs I find that when I settled with Mr Sherbourne for Mrs Pickerings pay, I have ommitted Stoping your demand of £5 : 14 : 0, when he came to Settle his own, And Mrs Pickerings, we were in a great hurry, So that neither I or any Body in the Counting house once tho't of your paper of demands on ye Several officers, As it was laid By with other papers till the Money Should be paid by the Government, neither did know of or Stope Either from Mr Sherborns or Mr Pickerings one ℔ Cent for fees &c at the Offices, which we are obliged to Stop out of all the others, as you will See by the province Account wch I Shall Soon Send you, that the fees &c paid Amounts to that —

I have Settled with and paid, the Revd Mr Browne for himself and his Son, And he dont Chose to Allow you the £15 you Charge, But

has had the Whole, and Says that he will Settle that affair with you, & he goes in this Ship, I think all the other Articles we Shall Carry to your Credit, —

Last Month Mr Jones paid me for your Acc^tt £146. 15. 2 which you have credit for, he desires me to tell you, that your & Mr Mitchells diary are And will Continue to be Stop'd, So long as you Swear to yours before Mr Mitchel, & he to his before you, I am Sorry you have no other justice in the province —

Capt Hunking is Saild for Antigua, and I have told him that if he draws on Me for £20 on your Account I shall pay it, You have herewith Bill of Loading for ye Goods you orderd for J Simpson But The Linins You order for Mr Simpson are on Board Capt Lewis, As Soon As these Ships are gone Your Account Shall be made out, And you Shall have it, And the province Account Also, I am with great Esteem —

Sir Your Most hum^l Ser^t
John Thomlinson

To Theodore Atkinson Esqr

[*Thomlinson to Atkinson. Copy ℔ Spender.*]

[Belknap Papers, Vol. I., p. 156.]

London 29th Mar. 1750

The^o Atkinson Esqr

Sir — Since the above, am without any of yours, therefore have only to advise you, that the Parliament has voted the Money to be paid for the Canada Expedition, but when it will be Issued, Can't yet inform you, but hope it will soon, when shall write you again, Interim

I am, Sir, Your hum^l Servant,
John Thomlinson

London ye 10th of May 1750

Sir The Money Granted by Parliament as Above is not yet Issued, Tho I Expect it daily to be done, and then I hope I Shall be able to get what is Voted to your Regement, as for what is Voted to the province, I Suppose it must lye in the Treasury as the Sum that was Voted for Louisbourg does, for want of my haveing proper powers to receive it, I find that Both the Provinces & Regiments Account Are greatly Shortned, but Cannot yet give you Acc^t in what particular, But the whole Granted to your province & Regement is only £21446,, 10,, 10, As Soon As the Money is Issued I possible may be Able to

Send you the particulars which were not Allow'd to the province, As to what is done in the Account you Sent me of the pay &c due to the officers of your Regement, I have An Account what is done in that, Viz^{t} the Two Captain Wentworths are Struck out, And Cap^{ts} Gillman & Sherbourne are put in their Roome, And Nothing Allow'd to the Muster Master, or Any other Charge whatever, only the officers pay with the usual deductions, I hope very Soon to get the Money, And then Shall Send you the Whole Account, that you may See what is due to your Self & Every Other Officer, I want much to hear what you are doing in your province Since what was wrote by Dowers, I wish you may do right & Am

Sir Your Most hum^{l} Ser^{t}

John Thomlinson

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 157.]

Portsm^{o} May 26th 1750

Sr His Excelency the Survey^{r} General of the woods has communicated to me his Letter to you of the 26th of March last takeing notice of an Agreement he has made with Mr Amhurst who is to be Succeeded as one of his Deputies by his Son ffoster and that the Purchase from Mr Amhurst is £300 Sterling — If I understand it I am to pay the one half and our Sallarys to be Equally Divided as he mentions to you with which I am Content but as I have only Seen his Letter & have had no talk with him on this head cannot give the necessary Directions till I See him he not being in Town & the Post just going out So y^{t} I hope you will follow ye Directions in his Letter or Such further Instructions as he may give till I can know his mind more fully — we have By a Ship from Bristol an Acco^{t} of a Parliamentary Provision for the Dfreaying the Canada Expence &c I hope you have got thro' that affair I much want to have it finished as far as I am Concerned — there is one thing that I formerly mentioned to you that I hope you have not omitted — that is to Procure Some orders about the Powder & Small arms that were returnd & not Expended it Lays here in a very odd manner and cannot be Disposed of without orders from home God know when our Assembly will come to any usfull Action for tho' I believe they See their mistake Still they are obstinately Pursueing the first blunder tho' I hope not with So much ranchor — yet it will be necessary that the Dispute be Determined at home in Such a manner as will Leave no room for further

Dispute here — the Waiges allowd to the Surgeons Mate in my regiment Doctor Miller I have Purchased & paid him here So you must Creed^{t} my Acco^{t} therefor — Pray Let me Have a List of what Each officer will have net in your hands after the Deductions of alsorts are made & how the Deductions Arises that I may Settle with those to whom I have advanced the money here I am S^{r}

[Endorsed] Copy to Capt Thomlinson Via Boston 1750.

[The following is a copy of a document in Atkinson's hand attached to the foregoing. — Ed.]

Dated 26 March 1750 Comn'cated 25 May 1750

Coll Atkinson has now 1/3 of the Sallary as one of Deputies as it Stood in Coll Dunbars time & that is to be Divided between him & my Son Foster as is also the Sallary of fosters as Mr Amhursts Successor between them which Please to observe & Carry one half of Each to the Creed^{t} of their respective Acco^{ts} as you receive it from Mr Jones who will have orders to Pay it to you as he receives it they will both write you on this head agreeable to this & that no Disapointment may arise to Mr Amhurst for want of your being in Cash for these Gentlemen you may Pay the Sum herein agreed upon — Viz £300 Sterling or any part out of my Sallary which I am hopeing will be Clear by this Time I referr you to the above Gentlemen & am

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[4–78] *His Majestys 32^{d} Instruction.*

"And whereas His Majesty hath thought fit by His Commission, to direct, that in Case of your death or absence from the said Province, And in Case there be at that time no person upon the place Commissionated or appointed by His Majesty to be his Lieutenant Governor or Commander in Chief, the Councillor whose name is first placed in His Majestys Instructions to you, & who shall be at the time of your death or absence resideing within the said Province of New Hampshire shall take upon him the administration of the Government, & Execute the said Commission and instructions, and the Several powers & Authoritys therein Contained, in the Manner thereby directed,

"It is nevertheless His Majestys express Will and Pleasure, that in Such case the S^{d} President shall forbear to pass Any Acts, but what are Imediately Necessary for the peace & Wellfare of the said Province without His Majestys particular order for that purpose, And that

he shall not take upon him to dissolve the assembly then in being, nor to Remove or Suspend any of the Members of the Said Council, nor any Judges, Justices of the peace, or other officers Civil or Military, without the Advice & Consent of, at least Seven of the Council: And the said President is to transmit to His Majesty, and to His Commissioners for Trade & Plantations, by The first opportunity, the Reasons for Such alterations, Signed by himself, & by the said Council."

Exam^{d} Theodore Atkinson Se^{ry}

His Majestys 46th *Instruction.*

"And you are with the Advice & Consent of His Majestys Council, to take Especial Care, to Regulate all Salarys & fees, belonging to places, or paid upon Emergencys, that they be within the bounds of Moderation, & that no exaction be made upon any Occasion whatsoever, As allso that Tables of all fees be publicly hung up, in all places where Such fees are to be paid, And you are to transmit, Copies of all Such tables of fees to His Majesty, and to His Commissioners for trade & Plantations as aforesaid."

Copy Ex^{d} Theodore Atkinson Se^{ry}

[4–79] [*Instructions relative to Grants*, 1750.]

His Majesties 38th and 39th Instruction.

And Whereas it has been found by long experience, That the settling Planters in Townships hath redounded very much to their advantage, not only with respect to The assistance they have been able to afford each other In their Civil Concerns: But likewise with regard To the Security they have thereby acquired against the Insults and Incursions of neighbouring Indians, or other Enemies, His Majesty has therefore thought fit, for His Service, that Townships should be Settled on the Frontiers of your Province, and that each Township may Consist of about Twenty thousand acres of Land, but not to Exceed Six Miles square, and in each such Township, A proper Place shall be laid out for the Scite of the Town itself, where any Planter, besides fifty Acres of Land for each Person in his family, shall have sett out a Lot or Footland For a Town House, and that no Town be set out or any Such Lands or Lots granted untill there be fifty, or more Families ready to begin the Settlement, and that so Soon, as any such Township has got one hundred or more Families Settled therein, it

shall have and enjoy all the Immunities and Privelidges, as do, of Right, belong to any other Parish Or Township in the said Province.

39th And whereas by your Commission you are, with The advice of His Majesties Council there, Impowered To agree with the Inhabitants of the said Province For such Lands &c &c Tenements and Hereditaments, as now are, or hereafter shall be in His Majesties Power To dispose of, and them to grant to any Person or Persons for such Terms, and under such moderate Quit Rents, Services and acknowledgments, to be thereupon reserved unto His Majesty, as you, by the advice aforesaid, Shall think fit, It is nevertheless His Majesties express Will and Pleasure, that you do not make any grants of Lands to any Person whatsoever under a Less Quit Rent Than one shilling, Proclamation money, for every hundred Acres of Land so granted; except for the first Ten Years, during which Term, the Grantee shall be exempted from the payment of Quit Rent, And that in all Grants of Land, a Clause be inserted to reserve all white, or other Sort of Pine trees fit for masts, of the Growth of Twenty Four Inches Diameter, and upwards, at twelve Inches from The earth, to His Majesty, His Heirs and Successors, for the Masting His Royall Navy; and that no such Trees Shall Be cut, felled or destroyed, without his Majesties License For so doing first had and obtained, on penalty of the forfeiture of such Grant, and of the Land so Granted, reverting to the Crown, and of all other Pains and Penalties, as Are, or shall be enjoyn'd or inflicted by any Act or Acts of Parliament, passed in the Kingdom of Great Britain; and that, another Clause be inserted therein, to oblige The Grantee to settle, plant, and Cultivate, at least, five Acres of Land, in every fifty Acres so granted, in five Years after the Date of his Grant, and to Continue such Settlement and improve the same by Additional Cultivation on Penalty of the forfeiture of his Grant, and of the Lands reverting to the Crown, To be granted to such as will effectually plant and Cultivate the same —

Copy of his Majtys 38th & 39th Instructions to his Excelency Benning Wentworth Esq Governr

Examined ℔ Theodore Atkinson Sery

[4–81] [*Governor Wentworth to the Duke of Bedford.*]

Portsmouth January 10th 1750

May it please Your Grace,

as Soon as Your Graces Commands of the 14th of april last came to my hands, encloseing an Act of Parliament to which His Majesty

had been pleased to give His Royal assent, to encourage the importation of pig & bar Iron from His Majestys Colonys in America to prohibit the Erecting of any Mill or other Engine for slitting or rolling of Iron, or any plateing forge to work with a tilt hammer, or any Furnace for makeing Steel in any of His Majestys Plantations, I caused the said Act to be published in the most public manner, & Issued my orders to the respective towns within my Government, to Lodge in the Secretarys office within a time therein limited, An Account of all Such Mills or Engines, as by a Copy of the Said order, & my Certificate Annexed will appear, besides this General order I have made a more particular enquiry, & I am fully Satisfied there is not within the limits at New Hampshire any Such Mill or Engine, and but one Forge that makes bar Iron.

I think it my duty to inform Your Grace That the assembly, neither will proceed to the Choice of a New Speaker, nor receive the New Members, called in Consequence of His Majestys additionall instruction given at Whitehall June 30th 1748.

The Conduct of the assembly herein, I have fully represented to the Rt Honble the Lords Commissrs for Trade & Plantations, who have wrote me that no time was lost in transmitting the Account thereof to your Grace to be laid before His Majesty for His further directions therein, which I am hopeing soon to recieve, in the mean time by the Advice of His Majestys Council, I keep the General assembly under short Adjournments & Prorogations.

I am my Lord

your Graces most faithfull Servt

B W

His Grace the Duke of Bedford.

[4–82]

[*Duke of Bedford, transmitting Act of Parliament to Prevent the Manufacture of Iron and Steel in the Colonies.*]

Whitehall 14th April 1750

Sir. The King having given his Royal Assent the last Sessions of Parliament to an Act, Entituled an Act to encourage the Importation of Pig & Bar Iron from His Majesty's Colonies in America and to prevent the Erection of any Mill or other Engine for slitting or rolling of Iron or any plateing Forge to work with a Tilt Hammer, or any Furnace for making Steel in any of the said Colonies; "which Act is to take place the 24th of June next, and His Majesty's Governors

in North America having particular Instructions given them therein, I have the King's commands to transmit it to you to the end that you may have the same duely published & observed throughout your Government.

I am Sir

your most obedient humble Servant.

Bedford

Govr of New Hampshire.

[4–83]

[*Petition of Jonathan Stanhope, relative to Indians*, 1750.]

To His Excellency Benning Wentworth Esqr Capt General & Governour in cheif in & Over his Maj^{es} Province of New Hampshire in New England, the Honble the Council & General Court Or Assembly for Said Province

The Petition of Jonathan Stanhope of Sudbury in the Province of the Massachusetts Bay in New England, Humbly Sheweth/.

That Your Petitioner has Very often Served his Maj^{ty} in the Wars with the French and Indian Enemy, & been Engaged in Several fights Against Said Enemy in the Said province of New Hampshire, In one of which fights Viz^{t} on May 2^{d} 1746, your Petitioner (then Under the Command of Maj^{r} Josiah Willard) killed one Indian & at the Same time Shot, & broke the Arm of Another Indian

That on June 19th 1746, At a place called the Dug-Way in Number 4. yor Petition^{r} being one of the Troop Who under the Command of Capt Josiah Brown [of Sudbury] Engaged a party of the Enemy, Received a very grievous Wound in his Arm, by A Shot from Said Enemy, by means Whereof Your poor petitioner has Suffered Extreme pain, & after the best Means to Obtain healing, Still remains Under much pain, & is rendered Utterly Uncapable to labour And so Wholly cut off from the Ordinary way of Subsisting himself in the World, Nor has Yo^{r} Petit^{r} Such An Estate in the World as Will afford him a comfortable Support, without bearing hard upon his Children.

Your Petition^{r} humbly Prays Your Excellency And this Honble Court to take his distressed Condition into Your Wise & compassionate consideration And Grant him Such Relief, under the Same, either by An Allowance out of the publick Treasury, or a grant of Land out

of the unappropriated Lands of the Province As in Your Excellency's And Hon^{rs} Great Wisdom and Justice Shall be thought fit
And Yo^{r} Petitioner Shall Ever Pray &c

Jonathan Stanhope

Sudbury April the 7th 1750 —

These Certifie that the Within Pettetioner Was under my Command & In the Engagement Rec^{d} his Wound at No : 4 : as within Exprest &c. Josiah Browne Capt

[4–84] [*Acts Approved by the Privy Council.*]

At the Council Chamber Whitehall
Seal the 31st day of May 1750
Present

Their Excellencys the Lords Justices

Arch B^{p} of Canterbury	Duke of Richmond	Earl of Harrington
Lord Chancellor	Duke of Argyll	Henry Pelham Esqr
Lord Privy Seal	Earl of Sandwich	
Lord President		Mr Comptroller
Earl of Cholmondeley		Horatio Walpole Esqr
Lord Anson		William Pitt Esqr

Whereas by Commission under the Great Seal of Great Britain, the Governor Council and Assembly of His Majestys Province of New Hampshire, are Authorized and Empowered, to make, Constitute and Ordain Laws, Statutes and Ordinances, for the Publick Peace, Welfare and good Government of the said Province ; which Laws, Statutes and Ordinances are to be, as near as conveniently may be, agreeable to the Laws and Statutes of this Kingdom, and are to be transmitted to His Majesty for His Royal Approbation or Disallowance : — And Whereas in pursuance of the said Powers, two Acts were passed in the said Province in September 1743, and July 1745, which have been transmitted Entitled as follow — Viz^{t}

"An Act for the better executing An Act for emitting the Sum of Twenty five thousand pounds in Bills of Credit on this Province equal to so much Proclamation Money upon Loan and for granting to His Majesty the Interest that shall arise thereby for the purposes in the said Act mentioned."—

Passed in September 1743.

"An Act in Addition to An Act entitled An Act for emitting the Sum of Twenty five thousand pounds in Bills of Credit on this Province equal to so much Proclamation Money upon Loan and for granting to His Majesty the Interest that shall arise thereby for the purposes in the said Act mentioned, And an Act entitled An Act for the better executing An Act entitled An Act for the emitting Twenty five thousand Pounds in Bills of Credit on this Province equal to so much Proclamation Money upon Loan and for granting to His Majesty the Interest that shall arise thereby for the Purposes in the said Act mentioned."

Passed in July 1745.

Which Acts, together with a Representation from the Lords Commissioners for Trade and Plantations thereupon, having been referred to the Consideration of a Committee of the Lords of His Majestys most Honoble Privy Council for Plantation Affairs, The said Lords of the Committee did this day Report their Opinion to their Excellencys, that the said Acts were proper to be Approved — Their Excellencys the Lords Justices taking the same into Consideration, were pleased, with the Advice of His Majestys Privy Council, to Declare their Approbation of the said Acts; And pursuant to their Excellencys Pleasure thereupon expressed, the said Acts are hereby Confirmed, finally Enacted, and ratified accordingly —Whereof the Governor or Commander in Chief of His Majestys Province of New Hampshire for the time being, and all others whom it may concern, are to take Notice and Govern themselves accordingly. —

W : Sharpe

[Copied from the original. — Ed.]

[4–85] [*Warrant for Expenses of Canada Expedition*, 1750.]

After our hearty Commendations, Whereas by Letters of Privy Seal bearing Date the 7th Day June 1750 grounded on the Clause in an Act of Parliament pass'd last Session for Appropriating the Supplys, & on a report made to us the 28th day of February 1749 Sign'd by yourself, the Lords Commissions for Trade and Plantations, & his Majestys Secritary of Warr, Wee are among other things Authoriz'd & Impower'd to Issue our Warrant or Warrants to the Pay Mr General of his Majestys Fforces for the time being, for the paying out of any Money in his Hands, Applicable to this Service unto such Person or Persons as shall appear to be properly Entitled to receive the same

the several Sums stated to be remaining due for the Expences incurr'd in his Majesty's Provinces of North America on an Expedition Intended against Canada, & for Assistance sent to Nova Scotia, & on other Extraordinary Occasions According to the Acco^{t} liquidated, settled, & adjusted in the said Report, & in the said Letters of Privy Seal relation being thereunto had may more fully & at large Appear And Whereas, the Summs remaining due to be paid for such Expences incurr'd in the Province of New Hampshire do amount in the whole to £21446,, 10,, 10½ According to the Acco^{t} in the said Report, contain'd a Copy of which is hereunto annex'd & wee upon taking into Consideration your Memorial of the 30th Augt 1750 are of Opinion that the said sum may properly be paid to John Thomlinson of London Merch^{t} who as Agent to that Province, appears to be duly Authoriz'd for this purpose, to be by him distributed paid Over & Apply'd in Discharge of the Bills of Exchange, Certificates or other Authentick Claims liquidated in the annex'd Acco^{t} according to the said Acco^{t} & Conformable to the said Report. These are therefore to Authorize & require you to pay or cause to be paid out of any Money in your hands Applicable to this Service the said Sum of £21446,, 10,, 10½ without Deduction unto the said John Thomlinson or his Assigns to be by him Distributed paid over & apply'd in full discharge of all the said Several Expences, Claims, & Demands Accordingly. And for so doing this with the Acquittance of the said John Thomlinson shall be as well to you for the Payment as to his Majesty's Auditors, & all others concern'd for allowing the same upon your Acco^{t} a Sufficient Warrant —

Whitehall Treasury Chambers the 25th October 1750

H. Pellham
G. Littelton
J. Campbell

To Our very loving ffriend Wm Pitt Esqr Pay Mr General of his Majesty's fforces —

An Account of the Expences which have arisin within his Majestys Province of New Hampshire, On the Intended Expedition against Canada, Assistance sent to Nova Scotia, & other Extraordinary Services liquidated & adjusted —

	Summs Charg'd.			Summ Liquidated		
To Disburstments on the Levying arming & Cloathing a Regim^{t} raisd within the said Province for the service of the Intended Expedition, & sending a Detachm^{t} of the said Regiment to the succour of Nova Scotia, & for other Contingent Expences . . .	£	s	d	£	s	d
	14967.	4.	10¾	5593.	5.	3¾

	Summs Charg'd.	Summ Liquidated.
To the Pay of the Non Commission Officers, & private Soldiers of the said Regim[t] rais'd within the Province N. Hampshire for the Intended Expedition against Canada, with the Usual Deduction of One Shilling in the Pound & one Days Pay ℔ Ann. of Each Man for Chelsea Hospitall .	9859,, 7	9859,, 7
To the Pay of the Commission Officers of the said Regiment with the usual Deduction of One Shilling in the Pound, & one Days Pay ℔ Ann. of each Officer for Chelsea Hospitall .	6472. 3. 6	5994. 4. 11¾
	£31298. 8. 11¾	21446. 10. 10½

[4–86]

[*Warrant for Re-imbursing New Hampshire for Expenses of Cape Breton Expedition*, 1750.]

GEORGE R.

Our Will & Pleasure is that by Vertue of our General Letters, of Privy Seal bearing Date the 26th Day of June 1727, & in pursuance of the Clause for Appropriating the supplys granted by Parliam[t] for the Service of the Year 1748 contained in an Act pass'd in the Twenty first year of our Reign whereby it is enacted, that out of the said Supplys a Sum not exceeding £16355,, 13,, 4 shou'd or might be Issu'd or apply'd for Reimbursing to the Colony of New Hampshire their Expences in taking & Securing to the Crown of Great Britain the Island of Cape Breton, & its Dependences, you Issue & pay, or cause to be Issued & paid out of any Treasure that is or shall be in the Receipt of our Exchequer Applicable to the Uses aforementioned unto our Trusty & Wellbeloved John Thomlinson of London Merch[t] or his Assigns, who as Agents for the said Colony of New Hampshire is duly Authoriz'd for this purpose, the said Sum of £16355,, 13,, 4 without Deduction in full Satisfaction & Discharge of all the Expences the said Colony was at in the said Expedition as stated in the Accounts thereof, which were examin'd by our Command, & laid before our House of Commons, & are approved by us, which said Sum is to be reced by the said John Thomlinson without Account Imprest or other Charge to be set on him in our Exchequer

for the same, & for so doing this shall by your Warrant, Given at our Court at S[t] James's this 19[th] December 1750 in the 24th year of our Reign By his Majesty's Command

H. Pelham
G. Lyttelton
J. Campbell
Geo. Grenville

To the Commissioners of our Treasury —

[*Thomlinson and Trecothick to Atkinson. Copy ℔ Bruce.*]

[Belknap Papers, Vol. I., p. 159.]

London 20th Septem[r] 1751

The[o] Atkinson Esq[r]

Sir — Our last was of the 14th Aug[t] ℔ Hallowell, since which we are favour'd with yours 26th July, & 2d Aug[t] & note your Directions about the Ballance of your Acco[t], which we hope to render you ℔ the next Conveyance as the Settlement with M[r] Killby is now compleated — the Ballance shall be laid out in Stock as you desire — Our J. T. has been at the Custom House on your affairs, & has sent your Power of Attorney — your Sallery will be reced very soon as it only waits for the Comptroller's Examination of your Accounts The Bills for £20 — in favour W[m] Pearson, & for £18. 10/ drawn by Hinox & Co. of Madeira are paid, & plac'd to your Acco[t] The Sundrys you order are getting ready and shall be shipt you by Cap[n] Winslow, who we Expect will sail in about 10 or 14 Days —

The New Hampshire Acco[ts] are dayly expected from Barbadoes, when they come to hand, shall Immediately render Cap[n] Pike's Acco[t]. the Papers Inclos'd relating to Jon[a] Greens Prize Money shall be taken due care of — There is a Ballance of £2. 10. 2 due to Cap[n] Davis which shall be shipt him with your Goods agreable to his Order — We are very sorry to find that the Disorders in your Government still subsist, but are not without hopes that some Measures will be taken soon to put an End to them — We are with great Respect, Sir, Your most hum[e] Servants,

Thomlinson & Trecothick

London 7[th] October 1751

Sir The Bearer Cap[t] Winslow having filled his Ship before your small Articles could possibly be got ready, we can only inclose your Inv[o] & Bill Lading for three Casks Nails by him and £23,, 2,, 3[d] the Box cont[s] the remainder of your Order is ready, & will be shipp'd

you on the four Brothers Capt Smith, who we hope will sail very soon, as he is to take in all the Goods shut out of this Ship — we shall then write you again, interim we remain very respectfully —

Sir your most Humble Serv^{ts}

Thomlinson & Trecothick

8th Oct^{r}

we have prevailed on the Cap^{tn} to take your Box & have included it in the Bill Lading — in it are 4½ doz Gloves for Cap^{n} Thos Davis, also a p^{r} Stays & a Scale for Coll^{e} Meserve, who are to pay you their proportion of the Charge on yor Box —

[*Thomlinson to Atkinson.*]

[Belknap Papers, Vol. I., p. 161.]

London ye 21st of Septr 1750

Sir Since my last I have not Any of your Fav^{rs} to Acknowledge, or have I time by this conveyance to do more than only tell you, that I am now well assured that the Money granted for the intended Expedition Against Canada, will be Issu'd in all the next month, when I shall receive what is due to you And the other officers of Your Regiment, Your Accounts will have Credit for the Same, And shall not fail to advise you thereof, And Am with great truth & Esteem —

Sir Your most hum^{l} Ser^{t}

John Thomlinson —

[*Thomlinson to Atkinson. Copy ℔ Oliver.*]

[Belknap Papers, Vol. I., p. 163.]

East Barnet 19th July 1751 —

Theodore Atkinson Esqr

Sir — I have your ffavour of the 10th April here with me, & tho' I have wrote you in C^{o} with Mr Trecothick, yet I have some things to mention to you that are not Compting House affairs : All your Papers were lost that were sent by Mr Solly, so I hope you will send Duplicates as well as the Papers Mr Paris & I have wrote for, respecting the Dispute of Fort Dummer, or Authenticated Proofs that they are deny'd you by the Government of the Massachusetts Bay — The government here will have nothing further to do with any Dispute ab^{t}

the money granted, & paid on Acco[t] the affairs of Canada & Louisburg. I apply'd to the Treasury for their Lordships Directions (to send to your Province) how the Money shou'd be apply'd for sinking the Paper Money of your Province: I was given to understand that it was Expected it shoud be apply'd by the Province to the calling in, & sinking the Paper Money of the Province, but they wou'd not give me any Directions about it: I told M[r] Secritary West that the Parliament in the Granting the said Money, have given the Lords of the Treasury a Discretionary Power, & therefore I begg'd to have some Directions how it was to be apply'd: he answer'd: they had paid me the Money, & wou'd have nothing further to do with it, thus the Case stands, & as I wrote you the Province has now near £30,000 Neat Money (all ffees & Commissions paid) laying dead; lock'd up in the Bank, & if your Government won't agree to do what is here expected from them, that is, to do Justice by calling in and sinking your Paper Money; They shou'd consider the Province's Intrest so ffar as not to let a Sum of Money lay dead but give orders that it may be Invested in some Government Fund, here, as it will bring in an Interest of near £900 ℔ Ann. Sterling: I dare not Venture to lay out a Farthing of it without an Act of the Legislature of your Province, & that cannot be done neither till the other Members are admitted, for I find if the Governer attempts to transact any kind of Business with the House, untill those Members be admitted, it must be at his Peril and as this Money lays Entirely at my Disposal, I wonder my ffriends in your Province are not affraid of my running away [with] it, however if the House of Representatives wou'd be so wise as to admitt the new Members (as they must be oblig'd to do, & I think, now before long) & proceed to Business Properly; I shou'd think they wou'd chuse a comittee to be join'd to a Committee of his Majesty's Councill, & call in, and sink the Paper Money, and give the Possessors thereof Bills of Exch[a] for the Respective Sums so bro't in by them, at the rate of Exchange as the Massachusetts have done, and advise me properly of such Sums drawn on me, & they shall be paid punctually, or if they think proper to order me to buy Silver, & send it over, I shall readily do it: but the former Method will be saving Freight, Insurance, and other charges — An Act has pass'd this Session of Parliament for regulating and Restraining the Paper Money in N E: I have herewith sent you the same: It is not (in my Opinion) so perfect as was design'd, but it was the best, & all we cou'd get, & I hope it will be strictly observ'd, & whatever you, and others, knowing in Money Affairs, shall find wanting in this Law, Pray let me know before the next Sessions of Parliament The West India Planters and Merchants attempted at the Board of Trade &

House of Commons to obtain a Prohibition of all Trade between the Northern Collonys & the French & Dutch Sugar Collonys: ffor my Part: that tho' a West India Merch[t] I saw this Attempt in such a Light, that in Spite of all Connections with the Sugar Islands, and the large Property I have therein, I oppos'd it Openly with all the power and Interest I was Master of and declar'd I did it out of Principle, & as a Private Merch[t] tho I was oblig'd to attend it as an Agent, but as an Agent I was oblig'd to do as the others did, that is, to ask for time to be Instructed from my Principal and upon that Point we got it put off for this year, and I was in hopes the West-Indians, from what they met with in this Application, would not have had any ffurther thoughts of applying, but last Week I was serv'd with a Notice that they design to apply next Sessessions that we may want no proper Instructions from our respective Provinces, therefore have sent you a Copy of said Notice (as Secretary) and I hope you & all the other Provinces will send proper Directions to their Respective Agents to be here in Octo[r] next. and I shou'd be glad that you and the other Gentlemen of your Province wou'd get me an Acco. how many Ships & Vessels have gone (in a year ffor 6 or 7 years back, distinguishing each year) directly from your Place to our own Sugar Islands, and come back directly from thence with Sugar Rum, and Molasses, and (as near as you can) the full Quantitys they have brought with them from thence of those Commoditys. and I wou'd also have you send me (as you have it from M[r] Wentworth's, M[r] Odiorne's, M[r] Moffatt's and M[r] Warner's Books) the low Price that their Lumber & Fish have sold for in our West India Islands these two last years, and the high Prices they have been oblig'd to pay for their Sugar, Rum, & Molasses in our Sugar Collonys, & also let me know if the Masters of these Ships cou'd have so much Molasses as they wanted in any of our own Sugar Islands, and let me have all these Papers properly Authenticated & they will be of great use in this affair, and you must also send me a Particular Acco[t] of all the Various Uses Molasses are put to in your Fishery, in your Shipping, and Trade and by the Artificer, Farmer, Mast Cutters Labourer, & Soldier, and the fatal Effect it must have upon N E in Generall, and upon your Province in Particular to be prevented from being supply'd with a proper Quantity of Molasses, & at as cheap a Rate as possible and that our own Sugar Collonys cannot supply you with the Quantity you want, or will they let you have any if they can avoid it, therefore if you shou'd be restrain'd from having it from the French, and Dutch in your own Navigation, & in return ffor your Lumber, and refuse Fish, the French will not only supply their own, & the Dutch Sugar Collonys with Lumber, and Fish in their Navigation,

and cannot be prevented, as the Coasts of N E. are of such vast Extent, and full of Creeks, and Bays, of good Arbours, & so near Cape Breton : I think all Partys, and every body concerned in Trade, or in the Wellfare of the Northern Collonys, and not only in your Province but in every Province of North America, shou'd apply strictly to the Providing these Acco^{ts} & whatever Matters, and things they may think will be of service in preventing this evil design'd them, and supply their Agents therewith properly, & in time, & [Torn.] your Province will not be wanting in doing what I here advise [Torn.] else you may think needfull and for my Part I shall not be wanting in making the best use of them in my Power — My Books will now very soon be settled to the 1st this Month, the time of the Commencement of my Partnership with Mr Trecothick, and then you, and every body else I have dealings with will have your Accounts. When I wrote you by the first Spring Ships I then told you that you shou'd soon have all the Officer's Acco^{ts} belonging to your Regiment, and also the Province Accounts, and you shou'd have had long since, only here is Mr Killby and some others, who have Demands, and tho' they might have settled with me, & had their Money any time since the 1st Novr yet have not done it : I want very much to settle those Matters, and get rid of the Money, and have all Acco^{ts} finish'd and am very Truely Sir your most humble Servant

John Thomlinson

[Page 165, Atkinson to Thomlinson, concerning Mason's purchase, is printed in Vol. VI., p. 893. — Ed.]

[*Depositions relative to Trade and Commerce between New Hampshire and the West India Islands*, 1751.]

[Copied from Hibbard Collections, Vol. III., pp. 172–3.]

The Deposition of Philip Reed and David Horney both of Portsmouth in the Province of New Hampshire in New England mariners who Testify that they have been masters of vessells, the said Reed for more than twenty & the said Horney for near thirty years last past and have been well acquainted with the Trade between the Northern Colonies and the West India English Islands & especially from New Hamp^{r} aforesaid that there are more than Six Vessells now Trading from this Place to the West Indies that return directly back here again for one that there was when these Depon^{ts} first were

acquainted with the Trade that they have been most of the time above mentioned employed in this Trade and know that there is a great Difference in the Price of the Goods wch is carried to the said Islands from the North as Lumber Provisions & fish from what it was ten years ago those goods being now Generally so Plenty there that they dont sell for half the price they formerly did & sometimes for less than the prime cost and the West India goods as Rum Sugar and mollases cost now more than Double what they did a few years since & mollases can scarcely ever be had at the English Islands only what they purchase & import from the French & Dutch Islands with the Lumber & other Produce of the Northern Colonies. That the masters can very seldom get as much mollases as the owners order at any Rate the English in the said Islands Distilling much more than formerly and the demand from the North greatly Increasing That there is every year a growing Demand for all West India goods in the Northern Colonies as they Increase vastly more than the Settlements in the West Indies and those goods being us'd in the fishery Lumber Business & other Laborious Services in Great Quantities in all the Northern Colonies. That the English Islands cannot afford a sufficient supply especially of mollases to the said Colonies at such prices as they can possibly purchase and that it cannot be got of the Produce of those Islands. And the said Horney adds that when he has been at Martineco he has seen the English Traders from Barbadoes come with Provisions & traded for french Goods —

Philip Reed
David Horney

[*Depositions of Nathaniel Jones, Samuel Frost, and John Briard.*]

Nathaniel Jones & Samuel Frost both of said Portsmouth Testify that they have been masters of vessells for several years past That they have been chiefly employed in the West India Trade, and John Briard another master of a vessell for more than Ten years who also Testifies and says that Lumber fish & Provisions are now generally so plenty in the West Indies sent there from the Northern Colonies that those goods do not sell for half the price they us'd to do Seven or Ten years since. That the price of Rum Sugar & mollases is more than Double what they us'd to be at the said Islands, & the Demand in the Northern Colonies vastly greater than usual so long since that mollases cannot be got at the English Islands only as tis Imported from the french, Dutch & Danes that this is a frequent Practice the

West India Traders sending the Produce of the Northern Colonies to purchase their mollases & selling it to the Northern Colonies That Rum Sugar & mollases is sold at Portsmouth for more than three times as much as it was Ten years ago That the Consumption of those goods is Increasing in the Northern Colonies every year That mollasses could not be had at any Rate if there was none Imported but what might be had from the said Islands of their own manufacture That all these goods are of absolute necessity & especially mollases to the People in the Northern Colonies in allmost every branch of their Business —

Nath[l] Jones
Sam[l] Ffrost
Jn° Briard

[*Deposition of Matthias Haines.*]

[Ibid, p. 173.]

Matthias Haines of Portsmouth in New Hamp[r] in New England on oath Declares that the foregoing Deposition is True the said Hains haveing been master of a vessell Tradeing to the West Indies from Portsmouth aforesaid for many years last past

Matthias Haines

[The foregoing depositions were sworn to by the several signers, at Portsmouth, October 29, 1751, before Samuel Hart. — Ed.]

[*Governor Wentworth to Board of Trade and Plantations*, 1751.]

[Copied from the English Archives for the New Hampshire Historical Society, 1888.]

Public Record Office of England

Colonial Correspondence — Board of Trade — New Hampshire

Benning Wentworth to Board of Trade 23 March 1750/1

L. S.

Endorsed — New Hampshire. Letter from M[r] Wentworth Gov[r] of New Hampshire, dated at Portsmouth y[e] 23[rd] of March 1750/1 giving y[e] Board an Account of the Boundaries & Situation of that

Province, & transmitting Copies of some Papers relating to the Continuance of his old Dispute with the Assembly about the choice of a Speaker, — & admitting New Members, &c. Rec^{d} July ye 13th 1751
Read April 29th 1752

Enclosing John Tufton Mason to Theo: Atkinson, deed, 30 July 1746 — J. Tufton Mason, deed, 11 Dec. 1750 — Wentworth's message to Assembly 28 Sept. 1750 — Assembly's message to Wentworth 3 Oct. 1750 — Wentworth's message to Assembly 4 Oct. 1750 — Paragraph of Charles II's commission to Ed. Cranfield 9 May 1694.

Portsmouth March 23^{d} 1750.

May it please your Lordships

In obedience to your Lordships Commands, I herewith transmitt, a plan of the Province of New Hampshire, which I think is as perfect as it could be done, with respect to the Geography The Historical description of the Old Province of New Hampshire will be short as it was originally a Grant made by the Council of Plymouth to Captain John Mason, bearing Date November 7th 1629 and contains all that Part of the main land from the middle of Merrimac River Northwards along the Sea Coast to Piscataqua River, and up said River to the Further head thereof, and from thence Northwestward untill three score Miles be finished From the Entrance of Piscataqua River, and allso from Merrimac through the said River to the Furthest head thereof, and thence in to the Land Westward, untill three score miles be finished, and from thence to Cross over land to the three score Mile End accounted from the Entrance of Piscataqua River, which said Portion of Lands, the said Mason called by the name of New Hampshire.

In 1679 His Majesty King Charles the second took all that part of New England, Then and since known by the name of New Hampshire into His own immediate Government, and by Letters Patent Commissioned a President [John Cutt] and Council to take upon them the Government of New Hampshire, Declaring therein that the Government had never been yet granted, and therefore Creates, and gives the power of Government over the said Tract of Land granted to Mason to the said President and Council. This my Lords is the state of New Hampshire with regard to the grant made by the Council of Plymouth to Mason in 1629.

Upon a long dispute between the Massachusetts Bay and New Hampshire, on February 9th 1736 His Majesty was pleased by His order in Council, to direct that a Commission should be prepared and passed under the great Seal, authorizing Commissioners to mark out

the Dividing line between the Province of the Massachusetts Bay and New Hampshire, giving Liberty to either party therein, who thought themselves agrieved to appeal therefrom to His Majesty in Council. In pursuance of His Majesties Said Commission, Commissioners met, and reported their Determination specially, upon which both Provinces appealed to His Majesty in Council, and after all parties had been heard their Lordships were pleased to report to His Majesty as their opinion, That the Northern boundaries of the Massachusetts Bay, are and be a Similar Curve Line, Pursuing the Course of Merrimac River at three Miles distance from the North side thereof, Beginning at the Atlantic Ocean, and Ending at a point due North of a place in the plan returned by the said Commissioners called Pautucket falls, and a strait Line drawn from thence due West, cross the said River, till it meets with His Majesties other Governments, and that the rest of the Commissioners said report or determination be affirmed by His Majesty. In 1739 His Majesty was pleased with the advice of His Privy Council to approve of their Lordships opinion, and to Confirm it accordingly; In Consequence thereof the lines have been marked out and transmitted to your Lordships.

It was likewise His Majesties Pleasure to put all the Lands between the Province of the Massachusetts Bay and the Province of Main, to the Westward of Mason's grant under my Government, and the description of New Hampshire at this time is especially in the words of His Majesties said determination. Whereas in all former Commissions from the Crown to my predecessors, it was only called our Province of New Hampshire.

Your Lordships will be pleased to observe by the plan, that the Eastern boundary on the Atlantic is very narrow, It not being more than sixteen miles and a half from the mouth of Piscataqua Harbour to Merrimac River, but as the Course on Merrimac is West, and the General course of Piscataqua River tends to the Northward, it is Capable of making a Government of equal Consequence to the Crown as His Majesties other Governments, If the new Settlements are not interrupted by a war, For during the Continuance of a war our numbers decrease, The young men chooseing rather to go into the Merchants Service by Sea, than to hazzard their lives in making settlements on the Frontiers, where they must be Exposed to the Indian Enemy.

New Hampshire is Lock't in between the Government of the Massachusetts Bay, and the Province of Main, and not being able to extend its Western settlements more than thirty miles from the sea while the dispute of boundaries was Subsisting with the Massachusetts Bay, no encroachment has been made by the French, which are

the only Subjects of any foreign Prince that borders on, or can possibly Interfere with the settlements of His Majesties Subjects in the Province of New Hampshire.

The only settlement the French have made, nearer than Mount Real and Quebec, is the Fort at Crown point, at or near the mouth or Entrance of the great lake Chamblea, which according to His Majesties determination of the Western boundary of this Government, must fall in New Hampshire, its situation is about one hundred and fifty miles from the sea, and bears according to the best information I can procure nearest West Northerly from the Entrance of Piscataqua Harbour.

As I have related to your Lordships everything I could collect respecting my Government, in conformity to the Commands I received, so I think it my duty to be particular in observing the alterations that have been made from time to time in Masons original grant since 1629 more especially as I think the last alteration in the Property affects the Crown in the revenue that would have otherwise arisen from the Quit rents, and when your Lordships have Considered the Circumstances attending the several Conveyances, which I shall endeavour to set in as clear a Light as possible you may judge whether the Crown has the right of Soil, as well as Government, which I conceive it has, and therefore previous to the last Conveyance and to prevent all future disputes, I used My endeavours with the Assembly to purchase for the Crown not only Masons right but Allens right allso, In which I could not succeed, my reasons for it will appear under Masons Conveyance to Allen.

King James the second November 3^{d} 1620 Grants to the Council of Plymouth the Continent Called New England situate between the Lattitude of forty and forty eight degrees North.

November 7th 1629, The Council of Plymouth Grants to Captain John Mason that Tract of Land Between Merrimac and Piscataqua River, allso Sixty Miles into the Country —

June 7th 1635. The Council of Plymouth Surrendered their Charter to the Crown.

November 26th 1635 Captain John Mason makes his will and soon after dies in England, bequeathing among other Legacies, the grant made by the Council of Plymouth of New Hampshire, to his Grandson John Tuffton to hold to him, and the heirs of his body Lawfully begotten, the remainder to Robert Tuffton.

Captain John Mason left Issue one daughter, who married Joseph Tuffton Esqr in England, by whom he had two Sons John Tuffton and Robert Tuffton — John dies without issue, and in 1675 Sr William

Jones and Sr Francis Winninton the then attorney and Solicitor General, gave it as their opinion that Robert Mason, who by the will of Captain John was to Change his name from Robert Tuffton, to Robert Mason, had a good and Legal right to the Lands Conveyed by Capt John Mason which were Called New Hampshire.

In 1686 Robert Tuffton Mason sells to Usher and others Six miles on each side Merrimac River beginning at Souhegan river on Merrimac, and ending at the mouth of Winnepisseoke pond, being part of the original grant, and entailed, by the said John on the said Robert. About this time Robert Tuffton Mason dies and leaves issue two sons John and Robert. This Tract of land is commonly called the million acre Grant or purchase.

In 1690 — John and Robert joyn in sueing out a Common Recovery in Westminster Hall, at Michaelmas Term, declaring the land to be in the County of Kent, By which the Entail was dock't, and they both sell to Samuel Allen Esqr of London, the whole of the Grant made to Captain John Mason of New Hampshire, — Soon after John the Elder died without Issue, Robert died about 1699 and left one Son and three Daughters, the Son John Tuffton died in 1718 and left two Sons John Tuffton and Thomas Tuffton. — John Calls himself John Tuffton Mason but without any act of Government for the addition.

In 1698 — Samuel Allen sues several of the Inhabitants of the old Towns of New Hampshire, but was Cast in both Courts. He then appeals to Her Majesty in Council, and upon hearing both parties, the judgment of our Courts was affirmed by Her Majesty Queen Ann.

In 1701 Octo^r^ 14th — Samuel Allen mortgages the whole of His interest to Usher with Liberty of Redemption till October 14th 1703 — But it never was Redeemed; about this time Samuel Allen dies and Leaves Issue one Son Thomas Allen.

In 1706 Thomas Allen only son and heir to Samuel Allen sells one quarter part of his interest in New Hampshire to Sr Charles Hobby, allso one quarter part more to Carleton Vanburg for the account of Sr Charles Hobby, by which Sr Charles became one half owner of New Hampshire, But never in his Life time sued for possession nor his Heirs since his decease.

In the year 1716 — Governor Shute in His Commission from the Crown was impowered to Grant the waste and unimproved Lands in New Hampshire, and all succeeding Governors have done the same, as Settlers appeared to Cultivate the Lands, so that it appears to me that the Crown has been in possession of this Government from the year 1698, which was the last demand made in the law by those that held under Mason's grant from the Council of Plymouth, untill John

Tuffton, who has taken upon him the name of John Tuffton Mason, who is one of the Surviving Grandsons of Robert Mason and one of the surviving sons of John Tuffton who died in 1718 The said John sues out a common Recovery in our Courts in June 1746 — and sells his right to sundry persons as by the deed herewith transmitted to your Lordships will appear.

September 30th 1749 The said John Tuffton, or John Tuffton Mason makes another deed of Conveyance by his attornies, ratifieing it 11th December 1750 to the same persons and some others with an Enlargement of his Claim, as by that deed allso herewith transmitted will fully appear both of which were given in Consequence of the Common Recovery in 1746.

This new Proprietor appears upon the advice of the Lawyers, who say, that the Common Recovery sued out in Westminster Hall at Michaelmas term by John and Robert Mason, previous to the Conveyance made by them to Samuel Allen Esqr was Illegal, for that it could not be done in England, but must be done in the Country where the Estate was, For which reason they, the Gentlemen of the Law, advised Capt John Tuffton Mason to sue out a Common Recovery in our Courts which he has accordingly done, and the sheriff has given him possession, and he Conveys his title to the Lands to the persons mentioned in the above deeds.

I have my Lords taken a great deal of Pains, and spent much time in Collecting every Circumstance attending the original Grant to Mason from the Council of Plymouth, and the purchasers under him, to this time, from which I shall hope for His Majesties further Commands, more Especially as the last purchasers from John Tuffton Mason, have taken upon them to grant Lands and Lay out Townships, to the Westward of the old Towns, which the people at present are very fond to take up, as it exempts them from paying the quit rents, reserved by His Majesty in the grants to be made by me: It was my resolution when the purchase was first made, to have commenced an action against the New purchasers. But upon advising with the Kings attorney, I found that it was his opinion that the Juries would allways give their virdicts in favour of the proprietors. So I thought it best to procure the Deeds, and prepare every other circumstance relative to the claim, and transmitt them to your Lordships for your Consideration.

If the Common Recovery sued out in England by John and Robert in 1690, is Legal, then the right is in the heirs of Samuel Allen, and as Mr Allen gave a large sum of money, vizt Five thousand pounds Sterling, Three thousand Pounds whereof he paid down and gave his bond for £2000. the remainder, I should think he could not part with

such a sum of money without the opinion of the ablest Lawyers. that his title was Legal. By the Common Recovery made in Westminster Hall by John and Robert of whom he purchased, esteeming it to be so, was my reason for advising the assembly to purchase Allen's right at the same time that they could have purchased Mason's, The Heirs of Thomas Allen would have sold at a Reasonable price, and Mason sold his right for about one hundred and thirty pounds Sterling, reserving two fifteenths to himself.

I have been useing my endeavours with the new purchasers to make a Tender of their purchase to the Crown, Some are for it, But the majority are for reserving it to themselves. So I have no further expectation to have it done in that way, which will make it necessary for me to have your Lordships Directions herein for my future Conduct.

From the first Constitution of this Government in 1679, it has either been under the Government of the president of the Council, a Lieutenant Governor, or the Governor of the Massachusetts Bay.

So long as the President of the Council or the Lieutenant Governor presided, the Assemblies from time to time made great encroachments on the Prerogative, For unless they would Condesend to the Assembly in all points though never so inconsistant they could not obtain any grants from them for their services, and from the beginning of Queen Ann's reign untill the year 1741 the Governor of the Massachusetts Bay was allso Governor of New Hampshire. When the Assemblies had great opportunities of invading the prerogative allso, The Governor only coming into the Province once a year. Holding a General Assembly for the most part not exceeding fifteen days, in which time the Governor received his Sallary, and then returned to his other Government where his greatest proffitts arose, under these disadvantages in 1741 I arrived in my Government where I scarse found the shadow of Prerogative, but the whole was changed into the priviledge of the People.

I have endeavoured gradually to introduce the rights of the Crown, but have as constantly been opposed by the Assemblies, and it would have been less difficult for me to have established the Kings authority where there never had been any Government before, than to bring these people off from practices they have so long exercised and in a manner without Controul.

In such a Country as this, it is no difficult matter for two or three desining persons, under pretence of defending the liberties of the people and opposing the Kings Governor, to obtain followers. This is the Case with the present Assembly, which principally consists of such as are very little acquainted with men or the world, and so easily

led aside from their duty by specious pretenders: The present faction in the Assembly is carried on by Richard Waldron Esq[r] and Two or three more Richard Waldron Esq[r] was suspended from His Majesties Council in 1741, for detaining a Letter to me on His Majesties Service from General Wentworth who Commanded His Majesties Land Forces in the West Indies, desiring me to procure recruits for the army under his Command, My reasons for suspending him I immediately transmitted to His Majesties principal Secretary of State, and to your Lordships board, and it not having been His Majesties pleasure to restore him to his Seat in the Council, he in the last Election obtained a choice in one of the Inland Towns for a representative, and by his acceptance of that choice and being sworn into the Lower House, he has resign'd his seat in Council, by which there will be another vacancy, among others I shall hereafter mention, During the dispute with the present assembly I have spent a good deal of time in searching the Council Records and examining the Commissions from the Crown to my Predecessors; among which I find a Clause in King Charles the Second's Commission to E. Cranfield Esq[r], That every Member of the Council suspended by the Governor, or displaced by the King shall be incapable during such vacancy, and after being so displaced, to be a Member of the General Assembly; The aforesaid Paragraph authenticated by the Secretary I herewith transmitt to your Lordships; from which the original Commission may be refer'd to.

By the advice of His Majesties Council I have kept the General Assembly under short adjournments and prorogations, which the council thought the surest way to bring them to a sense of their duty. But I dont see it is like to have any good effect on their behaviour, for they seem rather inclined to hazzard His Majesties Displeasure, than give up the points of proceeding to the choice of a New Speaker and admitting the New Members, which the leaders have pursuaded the people to believe was an encroachment on their Privileges; My two last Messages and their answer to the former I herewith transmitt to your Lordships, But as I am in daily expectation of receiving His Majesties further Commands, upon the representations I have heretofore made, whereby I may be reliev'd from my present anxiety, I shall not further particularize.

By the death of George Jaffrey Esq[r] President of the Council, allso by the death of Jotham Odiorne and Joseph Sherburne Esq[rs] there are three vacant seats in the Council, and by the resignation of Richard Waldron Esq[r] who has taken a seat in the Assembly, If your Lordships should think him unworthy of his seat hereafter, there will be four vacancies, which I meet with difficulty to fill up.

The allowance made by the Assembly being but Five shillings a day for a Councellors attendance, and if he lives out of town he will be in debt Twenty shillings for each days attendance, Besides Giving his time to the public, For which reason It is Difficult to find suitable persons that will pay the Fees of the offices in takeing out their Mandamus, Which I am to be assured of before I recommend Them — And I am the more at a loss at this Juncture, as the Gentlemen concern'd in Mason's Purchase were the persons best qualified, and On Whom I depended to fill up the present vacancies In His Majesties Council, But as there are three In the Council Allready concerned in that purchase Viz[t] Theodore Atkinson, Richard Wibird and Samuel Solly Esq[rs] I dont think it for His Majesties Service to increase their power at the Council board, Untill I receive His Majesties Commands Concerning the said purchase ; But if your Lordships Should Be of the opinion that the appointment of the Gentlemen concern'd in that purchase would not Affect His Majesties Interest, I should recommend to fill up The vacancies any of the following Gentlemen, who Are men of the best Estates we have, and I think I Can place Confidence in them to do the Kings Business in all regards, But where it affects Mason's Purchase, Viz[t] Joshua Peirce, Mark Hunking Wentworth, George Jaffrey, Thomas Wallingford Jotham Odiorne, and John Moffatt Esq[rs] allso Daniel Warner and Joseph Newmarch Esq[rs] The two last Are no ways concerned in Mason's right.

The next obstruction that I am like To meet with is, with the Government of New York concerning the Extent of the Western and Northern boundary of this Government. By His Majesties Commission the boundary fixed between New Hampshire and the Massachusetts Bay is a West Line untill it meets with His Majesties other Governments, and to determine where the West line Interferes with the Government of New York, Governor Clinton and I Have agreed to submitt it To His Majesty without having any Controversy, and To make our respective representations to your Lordships and to His Majesties Principal Secretary of State.

As the Extent of Western and Northern boundary of New Hampshire intirely depends On His Majesties pleasure, I need only Inform your Lordships that Commissioners from the Crown Have settled the boundary between New York and Connecticutt at Twenty miles east of Hudson's River. The Massachusetts Bay have allow'd the Government of New York To extend their Claim Allso Twenty Miles East of Hudson's River, and Have carried on their settlements, in Conformity Thereunto, one Renesslaer, Claims twenty four Miles square on the East, and Twenty four Miles Square on the West side of Hudson's River, a Tract Of land sufficient for thirty two Town-

ships of Six Miles square Each, and comprehends more good land Than any other subject in His Majesties Dominions ; But Renesslaer has not thought fit to Contend with The Massachusetts for the four miles ; Presumeing it will Be His Majesties pleasure that a North and South Line Should divide both the Massachusetts and New Hampshire From the Government of New York, I have Extended the western boundary of New Hampshire as far West As the Massachusetts have done theirs, That is within Twenty Miles of Hudsons river. It will allso be for the peace and benefit of both Governments if it should Be His Majesties pleasure to determine the Northern As well as Eastern boundary of New York. That it May be ascertained how many Miles North of the City of Albany that Government extends. As it will In its Northern and Eastern boundary, Interfere with the Western boundary of New Hampshire Which will keep both Governments from extending Their settlements beyond their own boundaries, and be Easily submitted to, Before the Inhabitants have Improved the Lands ; In virtue of Grants from Either Government.

It will be necessary to inform your Lordships that the Government of New York was Founded on a Grant made by the Crown to the Duke of York, and that it was to commence at the Sea and Run sixty miles North into the Country ; which line Will cross Hudsons river about twenty miles South of the City of Albany.

Another difficulty I labour under in The administration of my Government, is, That while the appeals from both the Massachusetts Bay And New Hampshire were depending before His Majesty, The General Assembly of the Massachusetts Granted in the years 1735 and 1736 upwards of thirty New Townships, the Conditions of which Grants, were, That the Grantees should settle the said Townships within three years after the date of their respective Grants, But by the neglect of the Grantees The Conditions have been fullfill'd by few or none, and in Consequence of these Grants many of the Proprietors of these Towns, have petition'd to have their Grants Confirm'd by me, which I have offer'd to Oblige them in, on Condition of reserving to His Majesty the quit rents appointed to be reserved by My Instructions, and reserving allso all white pine Trees growing on said Lands fit for masting the Royall Navy, There being no reservation made of said pine Trees in the Grants made by the General Assembly of The Massachusetts. But hitherto none of the Grantees Will accept of my Grants on those Conditions, and if The original grantees and those possessing under Them Should still refuse, It will be for His Majesties Service That your Lordships take this matter under Consideration, and give me such directions therein, as may Put these

Tracts of Land under immediate improvement. As for the Intersected Towns formerly Complain'd of by The possessors holding under the Massachusetts I have With great difficulty Incorporated all such Towns to Their intire satisfaction, Except part of Northfield and that being a large Town, There is a sufficient Quantity of land lying within the boundary of the Massachusetts for a Township of more than six miles Square, That part which falls in New Hampshire has not more than four or five settlers on It, and without the Limits of Masons Grant, Which is the reason I apprehend those Inhabitants Have not applied to be Erected into a Township, There is allso about sixty thousand Acres of Land Situate on the Western side of Connecticut river, Which was purchased by private persons from the Government of Connecticutt, which that Government Had laid out to them by the Government of the Massachusetts Bay, as an equivalent for two Or three Townships which the Massachusetts purchased from the Connecticutt Government, This Sixty thousand acres is under no Improvement, and the proprietors not being obliged To any time, it will lay unimproved, and free from any quit rent, Unless I receive your Lordships Commands to lay it out into Townships, under the same Limitations with His Majesties other Lands adjoyning to it.

The map of the Province comes In a Long box directed to your Lordships, and as the French are our near neighbours to the Northward, I thought it not improper To add the great Lake Chamblea which is In part settled by the subjects of the French King, It is put down with as much exactness As the situation of our affairs would admitt of.

Since my Message to the Members of the General Assembly of October 4th 1750 which they have not thought proper To give any answer since to, There has Scarse Met a Quorum to enter upon business, though I have kept Them under monthly adjournments to this Time, and the Secretary has Constantly enquired from them whether they were Disposed To enter upon the affairs of the Province. From the present disposition They are in, I am persuaded unless I give Up the point of negativeing the speaker, and of the new Members they will continue The disputes, Untill they are compell'd by His Majesty's Commands to Own His Authority, — I am —

My Lords Your Lordships Most faithfull Servant

B Wentworth

The Right Honble the Lords Commissioners For Trade and Plantations.

[*Thomlinson & Trecothick to Atkinson. Copy ℔ Captain Johnson.*]

[Belknap Papers, Vol. I., p. 166.]

London 3d Mar : 1752.

The° Atkinson Esqr

Sir — Annexed is Coppy of our last since which we are favour'd with your Letter in C° with Mr Dan : Pierce relating to Mason's Right, which shall (if possible) be answer'd by this Conveyance — We have also reced your Favour of 30th Novem^r & now Inclose you the Accounts of the Several Officers in the Canada Expedition with whom you were concern'd, the Ballance of their respective Accounts Amounting to £597. 12/ 7¼ & Lieu^t Gerrish £8,, 2,, 10^d is carried to yours, which is drawn out, & but for the Hurry we are now in, had been render'd you by this Conveyance, but shall certainly come very soon & for the future annually we received of Mr Jones for your Acco^t the 4th Ultimo £147,, 10,,— & have paid Mr How £11,, 13,, 4 being the Ballance of your Account with him — We note the Shoes sent you were too high priced: they were made by Hose of Lombard Street, who is reckon'd the best maker in England, & tho' we think him very dear we are forced to Employ him in most of our orders for private use — the Boots you order'd were also made by him, & come ℔ this conveyance pack'd in a Box of Mr Wentworth's. you are charg'd for them 30/, & have credit for 27/ received ℔ the Wilmington from Mr Nelson — Your Candlesticks are made but having no Entry of Plate in this Ship, we are oblig'd to keep them for some other — We are very sorry to find the Linnens were not to your Satisfaction which will not hereafter be the Case as we have fallen into another method of procuring Garletts, & all sorts of German Linnens, in ℔ticular the former we now ship of the right Lloyd's Fabrick, & upon at least as good Terms as they are shipped by that or any other House, and before we wou'd venture to advise our Friends of it, have been at the pains of making a Tryall of them, & submitted them to the Examination of our Friend Chas Apthorp Esqr who advises us they are Superiour to those he Imported at the same time, & has order'd a large quantity this Spring that we hope in future to give full Satisfaction — We remain very Respectfully

Sir, Your most Humble Servants

Thomlinson & Trecothick

We paid some time since £20 on your Account to Cap^n Hunking.

London 25th March 1752

Sir The foregoing is Copy of our last, since wch we have not recd any of your Favours — inclosed is your Accot Curt with Mr Thomlinson as it stood 30th June last, when his Books were closed, the Ballance being £1258,, 8,, 7 in your Favour is transferred to the Credit of your Accot with us, wch is debited for the Goods shipp'd you ℔ Briard, Hallowell & Winslow, as also for the Stock bo't & the Bills pd as you have been advised — the Ballance now due to you shall be invested in Stock the first favourable Opportunity — Your pair of Candlesticks come ℔ the Bearer in a Box of Mr Thomas Oxnaids who has promised his Care of them they cost as at foot £16,, 8/ 3d & we hope will please — We remain

Sir your most Humble Servts —

Thomlinson & Trecothick

A a pr Table Candlesticks & Nosss 46oz: 14½dwt @ 7/4	17,,	2,	3
engraving empd Arms & Crest 7/ pt of Debenture 2/		9,	
	17,,	11,	3
deduct drawback		1,	3,
	16,,	8,	3

[A letter from Thomlinson to Atkinson, dated March 6, 1752, concerning Mason's claim, is printed in Vol. VI., p. 895. — Ed.]

[*Thomlinson to Atkinson. Copy ℔ Captain Johnson.*]

[Belknap Papers, Vol. I., p. 168.]

London 2d Mar: 1752.

Theo Atkinson Esqr

Sir — I have now before me your Letter of 29th Novemr respecting our Publick affairs, & I am sorry to find the Province Money is like to continue in my hands, when it ought to be applyed in one Shape or other, as I formerly wrote you, for the benefit of the Creditors of the Province, & I all along desired it might, & Expected pro[vince] orders & Directions thereon, & was in hopes all your Disputes (as you call them, but called Rebellion here) wou'd have subsided, in order that the Government of New Hampshire might have availed themselves of the benefit of this Money in one or other of the Ways I first proposed to you — I observe that my Friends with you suppose "That I

find some way or other to make use of this money to my own advantage, & that is the Reason (as they are pleas'd to say) you have had no Determination of your affairs before this." I find my Friends (as you call them) are no Changelings I am very sorry they will continue obstinate beyond all Conviction Did not I write to you (as Secritary of the Province) as soon as I knew the money was to be paid me, desiring that the Government wou'd order the application of the money, as they shou'd find wou'd be most for the C^{t} & advantage of the Province, & as soon as I had reason to think they wou'd not, did not I apply to the Lords of his majestys Treasury, that they wou'd (in consequence of the discretionary power the Parliament had given them) order the application thereof, & told them that if I had known they wou'd not have done it, I wou'd not have reced the money then pray what cou'd I have done more than I have done to have got the money properly out of my Hands, & then as to my making use of this money for my own Interest — I hope those Friends of mine do not think I want Money to carry on my business, & as I am neither Stock-Jobber nor Usurer, I know no other way of making advantage of it. But by laying it out in the Funds, & then if any Difficultys or Troubles had arisen here, such Funds might have fallen 5 or 10 ℔ Cent in price & your Money at the same time might have been called for, & I must have been obliged to have sold out, & have set down with the Loss : 'Tis true as things have happen'd I might have made money of it, but I have in this affair been too Scrupulously nice, as I don't Care to run too great risques, or have I been accustom'd to have money in my hands called for, without being prepared to pay it, but however as you are determin'd still to compell me to be your Banker, I will tell you all plainly that if I can find any method of making a certain advantage of this money or any part of it, without running too great a risque, I will Endeavour to do it, for as I am allways able and ready to pay you the whole Principal money due to the Province at the least proper Notice that is all that is Expected or required of me & that you have not yet had a Determination of your affairs here is by no means owing to any want of my Solliciting it, for I have frequently pressed the affair as far as I cou'd with any Decency, & am now Endeavouring to get it done, & am in hopes it will be soon done, & tho' I am no party in this Dispute (as you call it) or can the manner of doing it Effect me one way or other provided it is done Effectually to promote the Quiet, good order & Government of ye Province & yet I cannot help knowing what is to be done, & that will be Enforcing his Majesty's Instructions in the Strongest & most Effectual manner it can possibly be done in, for before that Instruction i prepared, the affair was most maturely & Solemnly considered

by the Lords of Trade, & their Council, then by his majestys [Attorney &] Sollicitor General, & by his Majesty in Councill, & that it is not comply'd with has made all your Friends in the Administration (that I know) your Enemies, & talk of your Province in such Terms as I shall not here mention, & blame the whole of the People, for tho' it may only be part of the Assembly that opposes this Instruction, yet they are the Representatives of the People, & as the Case now stands, if I was furnish'd with proper Materialls to bring on your Case respecting Fort Dummer or your Appeal I shou'd not care to bring on the one or the other, if it cou'd be avoided — you say the prevailing maxim with you is rather to have two Priviledges taken from you, than give up one: Surely you mistake the nature of the present Question, for surely his Majesty's Instructions are calculated to Extend and Enlarge the People's Priviledge: In Sep^{t} 1749 I receed a Letter from Henry Sherburne Esqr complaining in this Strain, in ans^{r} to which I wrote fully of every Circumstance & thing that I had heard or seen relating to this unhappy affair, in hopes to set him right, but I have not had a Line from him ever since that time: I shall herewith send you the Coppy of the said Letter, it will at least convince you that I was willing to spare no Trouble or Pains to have your Differences accommodated, especially when I tell you that I wrote that long Letter at a time when I had the utmost Hurry of business upon my hands, & not in the best State of Health — The West India Planters & Merchants have at last dropped their Application for a Prohibition of Trade between the northern Collonys & the Foreign Sugar Collonys, & I think will not take it up again in Haste: I at first saw it to be a Scheeme big with [evil] to the northern Collonys, & the Trade & Navigation of those Kingdoms, & that its consequences wou'd greatly hurt the Sugar Collonys Themselves, & at the same time wou'd Encrease the Trade & Navigation of the French, & therefore notwithstanding my Connection with the Sugar Collonys & the large Property I have in them, I, in the Character of a West India * oppos'd this Application at the Board of Trade & * the Parliament * into it, & am glad to find my labours [were not in vain.] I have anything * Publick affairs: I shall write to you in C^{o} on your private Business, & therefore I shall here only tell you what I flatter myself will not be disagreable to you, & that is that I can with Truth and Pleasure say (and I thank God for it) that I have for some time past & do now enjoy as good a State of Health, as when you knew me, only I am above 26 years older, & therefore obliged to take a little more care of myself, and which I

suppose is your Case, however I shall be allways glad to hear of your Wellfare, & am with great Truth and Esteem —

Sir, Your most Humble Servant

John Thomlinson

* Here the manuscript is torn.

[4–87] [*John Greenwood to Richard Waldron*, 1751.]

Hon^{d} and Dear Sir/

I should long ago have comply'd with your Request, had anything offered worthy your Notice, but being loth to trouble you with my impertinence only, I have defer'd it, hoping some News wou'd present that I could inform of, to be entertaining, tho Nothing but your Command would induce me to lay my Scrawl before one who ye World acknowledges to be a Master of Eloquence — This will only inform you I have had my health ever since I left Portsm^{o} and that I have again Engaged in Buisiness but my tho'ts have not yet left their roving Ideas — Tis now very Sickly in Boston many Sudden Deaths, among which is Mr Calef Lymans — a Gent^{m} of Superior Powers an intimate of Doctor Perkins's, who gives him ye following Character — "a man of as much real Vertue and Goodness as ever trod ye Earth,"

Tis reported in Town that ye Prince of Orange died ye 14th of October it comes by a Vessell 8 weeks passage from Bristoll and is Creditted — I could inform you of many Little Domestick affairs, but as you a Stranger to ye Partys it wou'd only impose on y^{r} Paitience My Mother Joyns with me in presenting my Compliments to M^{dm} Waldron Whom I shall Allways bear in Mind with ye Greatest sence of Gratitude and Should be glad of an Opper^{y} to make You sensible how strong my Affections are rivetted in Yours & Mad^{ms} favour, My Respects to Mr Thomas & George — with a Desire Should you need any Services done in Boston that you would freely command me — Who has ye Honour to be Sir Yr

Obe^{t} Hum^{le} Ser^{t}

Boston 16 Decr 1751 — Jno Greenwood

To ye Hon^{le} Richd Waldron

[4–88] [*Waldron to Greenwood. From Copy.*]

Sir Yo^{r} Favour of ye 16 Decr I rec^{d} ye last Day of y^{t} Month, I know not by whom it came nor where it halted, it was bro't me by one of my Neighbours, who said he had it from a Stranger whom he knew not. —

I am glad to hear you enjoy your Health, and hope it will long continue

I am rejoyced also, that you are again engaged in Busyness which I likewise hope will be profitable and lasting, and divert you from further Thoughts of traveling into foreign Parts, having so masterd yor profession that I am perswaded y^{t} our Country will furnish you with Employ without the hazard & Expence of seeking Business in distant I am sorry for the Sickness at Boston and the Deaths you mention It will always rejoyce me to hear that you and your Family are safe from the Arrows wch fly in ye Dark and the Pestilence which wasteth at Noon Day, —

As to yor Compliments to me and Mrs Waldron, give me leave to say your painting is a little too strong: if you recieved any Civilities from us, you were indeed [Torn.] but they were not worth an Acknowlegement the Expressions of your kind Disposition and the tender of your good Offices, in any Affairs that we may have at Boston are very obliging which we acknowlge with gratitude. Nothing has occur'd in Town since you left us that is worth yor Notice, at least that I know of

I suppose you hold a Correspondence with some of the young Gent^{n} in Town of your Acquaintance who inform you of the Occurrences at Balls and Assembly's at Partys of Pleasure and in other Gay Scenes of Life, which are out of my Sphere. —

I should be glad, if you would tell me what you hear of the Dutch Lady from Surcutum particularly whether she is coming this Way; also if you will give me the very first Intelligence you can get of my Lords Arrival, what my Lord is doing, and whether likely soon to return and in what Circumstances

With mine and Mrs Waldrons Compliments to the good Lady your Mother, and y^{r} self, I am Sr Your most humble Servt

R W. —

P: S Capt Waldron is at Cochecho George gives his Complim^{ts}. We hear my Lord is arrived

[4–89] [*Greenwood to Waldron, concerning Mrs. Mason, etc.*]

Sir/ I can now give you some Acc't of her Unhappy Ladyship — Mrs Mason — Several Vessells have lately Arrived from Surranam — by which I hear, she intends to take passage ye first opper^y^ in ye Spring. that she is Just recovered from ye Sm^l^ Pox, — that She lives Dependant on her Friends — after tiring one, has recourse to another — The Gent^m^ that gave me this Acc^t^ is in high rage against my Lords Conduct & Says many bitter things — wou'd have gone on — hadn't I told him my Lord was in London — and not so proper With^t^ he was here, The Gent^m^ didn't see Mrs Mason after She had rec'^d^ ye letter I forwarded f^m^ m^rs^ Wilson giving her an Acc't of Affairs here, — perhaps that may Alter her intentions & Oblige her to be further beholden to ye good nature of My Lords Enimies — Did my Lords Purse Equal his Spirits I believe you wou'd not think ye foll'^g^ Tho't f^m^ Tamerlane Misaply'd —

From Heaven it Self,
I would not on Such terms receive a Benifitt
But spurn it Back upon ye Givers hand.

Does Mrs Mason take a Gent^ms^ Advice (gone f^m^ hence) intended to give her, She will follow him, tho' it be where (to use his own Words) Orpheus went to bring back Euridice — By ye last Ship We heard of my Lords being in high Spirit, I soon intended Wait on ye Earl, Success & Prosperity Attend him — By presenting my most sincere regards to ye most Valuable of her Sex, & family Which I hope this will meet in health You will Oblige Sir

Your Obedient Ser^t^ to Command

Jno Greenwood

Boston March 2^d^ 1752

[4–90] [*Waldron to Greenwood. From Copy*, 1752.]

Sir The Advice you give me touching the Dutch Lady is quite obliging. —

Alass ! To what a low Ebb of Fortune is she fallen to be now in a State of Dependency on her Friends, who but 2 or 3 years agoe, almost supported *America*, out of her own privy Purse. —

I believe it will be a difficult Point for her to determine, whether to pursue my Lord to England, or to cutt off his Retreat to N E : or to abide in her own Country, Each of the Ways seems to be big

with Difficulties. — but I leave her to the Guidance of her Destiny. —

We have from a London Evening Post, what you'l find in the inclosed Scrap, which seems to be in my Lords State. —

As you get any further News either of him or her, I hope you will give it me, also what you hear of my Lords Mother —

Mrs Waldron says you mistook your Complimt to her, supposing your Self addressing a fine young Lady &ca We both salute you with our heartiest Wishes for your Prosperity

I am Dear Sir your very humble Servt

R W March 6 1752

[4-91] [*Greenwood to Waldron.*]

Parimaribo 16th March 1753 —

Dear Sir/

Agreeable to my Promise I now Let You know that I am Safely arrived at Surrinam Which I find to be amost agreeable Place, and goes Greatly Beyond ye fancifull Idea of ye most Fruitfull imagination as to Beauty of ye Streets & ye Pleasantness of ye Whole Country — Rows of Orange Trees adorn both Sides of Way as You Walk, which makes ye Whole Town a perfect Garden — Time may Discribe ye Whole at Large. — I never Enjoy'd my Health better in my Life — and as to ye Heat of ye Climate, tis all a Joke, tis not so Hott since I've been here, as I've found it with us in June — Mrs Mason is in Health, and Desired When I wrote, to rememr her to you & Mdm I shall Write you as I become more Accquainted with ye Place, & people — Which to me at Present, are very kind & Courteous — I fell imediately into a very Genteel employ at a Good price, so if health continues I hope I shant repent my coming to this place — I've had ye pleasure of Couzen Henrys Company ever since I've been here — & wish his Owner had sent him a Voyage — more to Henrys as well as his own Profitt — Pray Excuse ye freedom with which I write — & think that I am in a Country, where more freedoms are Used than with us in New England — few of ye Gentm here Scruple being seen Swinging in a Hammock with a Black or Gold colour'd Girl — Which I think are prefarable to ye Whites in General — With my Compliments to Mdm & your Sons — I am Sir Your Most Hume Sert

Jno Greenwood

Nothing wd give me more Pleasure than a line from Squire Waldron —

[4–92] [*Greenwood to Waldron*, 1752.]

Sir/ I have made all the inquiry that ye Shortness of the time wou'd allow of concerning my Lord — but cant hear ye least Lisp of what you write, his Brother knows Nothing of it — Mr Griffin & Mr Saml Wentworth are ye Only Gentlemen — that my Lord ever held any correspondence with and they are Strangers to ye Glad Tydings — Neither can I hear of any body that has had one Line Since his Departure —

His Brother that went to ye Westindies is long since returned — and left his Mother well at his Aunts Who on her first Arrivall wou'd not know her — but on her mentioning things She knew every body Else were Strangers to — She Embraced her as a Sister — Where tis probable she will Spend her Days —

I expect Daily to hear of Mrs Masons Arrivall for every Vessell that arrives tells of her Embarkation in ye Spring from that place — I suppose She will wait ye Oppertunity of coming with Capt Smith who my Lord tho't was ye first that graced his head with a pair of horns —

Last Wednesday saild from this place Capt Henry Winslow of Portsm^o^ Bound for So-Carolina, in a very fine Ship belonging to Mr Joshua Winslow, but he had ye Misfortune to run Ashore on Cape Codd where he lost ye Vessell but is Saved with his Crew — Another Vessell inward bound came Ashore bottom upward, one that Sail'd with him — has met with Misfortune, As we know by things on ye Beach from her but cant tell whether She Weather'd ye Cape or is on farther Down — Fryday came into Nantasket a Mast Ship bound to portsm^o^ that was blown of Last fall to Antiqua — The small Pox Sir — is in 16, or 18 families — to be Depended upon and by tomorrow noon t'will be transplanted to above treble that Number — I am now Drinking Tea with two Young Gentm — that receive the Puss tomorrow with ye Multitude tis Generaly aproved, & will be almost Universally Practiced, I have Devoted my time for ye Present, to ye Service of my friends that are to have it, which are very numerous, I expect to be worn out — I dont intend to endanger my friends by my Letters I shall take all ye Care imaginable to avoid Infection — & Shall Desist writing to you, Without your Desire to ye Contrary — I have sent you a Print of ye Coast lately Published which is tho't an Accurate Draught — t'was done by an Acquaintance of mine & Should any of y^r^ Friends want they may be Supply'd by letter — my Compliments to Madam & be pleased to let her know my Mention in my last was ye Real Sentiments of my Soul, & that no Young Lady is capable of inspiring those Ideas, that was raised by her Superior & Shining Accomplishments

Be pleased to Excuse inconection and every other fault — I told you before I was in Company, here's Severall Women Present, What with their Tounges & what with ye Subject that employs them I'm quite incapacitated to write to a Gentleman of y^r^ Penetration Your usuall Candour will excuse it —

I am Sir Y^r^ Most Obe^t^ Ser^t^ to command

Monday 23 March — 1752 — Jno Greenwood:

P S — Tuesday Morn^g^ — Sir since I wrote ye Above — ye 16 — I mentioned is Multiplied to — nigh 40 — by ye Common way —

My Lords aunt made Tom Martin a Compliment of a Likely Negro man —

[4–93]

[*From Copy of Letter, Waldron to Greenwood, March* 27, 1752.]

Dear S^r^

It is quite a Melancholy Account you give me in yo^rs^ of ye 23 Curr^t^ —I pray God have Mercy on your Town I am obligd for the News you told me of one Kind and another, and sh^d^ be exceeding glad to maintain an epistolary Correspondence with you but I think, I dare not receive another Letter from Boston, during the Rage of the Pestilence there. —

As to my Lord, I am persuaded somebody had a Letter by the last Ship, which gave a Hint in his favour but by whom it was sent or to whom, I know not, perhaps from J. Huske to his Uncle Plaisted, but this is only a mere Conjecture

I am told our Govr and Majestrates are taking all possible Care to prevent the bringing in of the Small Pox amongst by securing the Port, and Land Passage also —

I give you my hearty Thanks for the Map you sent me —

I wish you Health and Strength to be a Comfort to your Friends in their Distresses, and with mine and Mrs Waldrons best Respects, and Wishes for your Prosperity and Happyness I am S^r^ your most humble Servt R W March 27 1752 —

[4–94] [*Waldron to Greenwood.*]

Mr Greenwood

I can't understand that the last ship bro't a Single Line ab^t^ my L^d^ to any of his Friends in these parts, which I believe was no small

Disappointm^{t} to some of them. — I have had a Whisper, that a Boston Gent was inform'd by a Letter from London, which came in Smith that my L^{d} was like to Succeed but such a Hint seems too slender a Foundation to build upon. —

Pray inquire about him and hand me what you can pick up —

Be pleased to tell me also how tis in Boston in regard to the Small-Pox; for tis commonly said here, that what yor Town Clerk publishes is not altogether to be depended on —

I wrote y^{o} ye 6 Curr^{t} — With mine and Mrs Waldrons Complim^{ts}

I am S^{r} Yo^{r} most humble Servt

R W March 20 1752

[4–95]

[*Earl of Holdernesse to Lords of Trade and Plantations.*]

Whitehall 30th March 1752

My Lords

An humble Representation, having been laid before the King, setting forth the present flourishing State of His Majesty's Colonies in America, as well with regard to Number of Inhabitants, as to the Increase of Trade, in those Parts of His Majesty's Dominions, & that it is highly necessary, that the greatest Care & Attention should be had, to the Good Government of, & regular Administration of Justice, in the said American Colonies, His Majesty was graciously pleased, to refer the said Representation to a Committee of The King's Most Honourable Privy Council, directing them, to consider of the properest Means of obtaining this desireable End, & the said Committee, having made thereon their humble report to the King, His Majesty was pleased, to direct an Order of Council, a Copy of which is herewith enclosed, & to which, your Lordships will please to conform yourselves hereafter.

And whereas your Lordships are hereby directed to prepare a Draught of an Additional Instruction, to be sent to the Governors of all His Majesty's said Colonies & Plantations, directing them, to correspond for the future, with your Lordships *only*; excepting in such Cases, as may require His Majesty's more immediate Directions; I have His Majesty's Command, to signify to your Lordships, that it is the King's pleasure, you should transmit to one of His Majesty's Principal Secretaries of State, in order to their being laid before the King, all such Letters, as shall, for the future, be addressed to you, from any Governor or any other Person or Persons, acting as such, in

any of His Majesty's Colonies or Plantations in America, which may in any wise, relate to His, or Their Conduct towards the Governors or other Chief Officers, of any Foreign Prince, Power or Potentate whatsoever; As also such Letters as may relate to the Transactions of any Foreign Governor, or other Officer, towards them, or any of His Majesty's Subjects. under their Direction & Regulation ; And also, that your Lordships should, in like Manner, transmit unto one of His Majesty's Principal Secretaries of State, a Draught of such Answers, as you shall prepare, to be given to any such Letter or Letters, as shall fall within the abovemention'd Description, in order to its being laid before His Majesty for His Royal Approbation ; and your Lordships are hereby directed not to transmit to any of His Majesty's Governors, or other Person or Persons, acting as such, any Orders or Directions, relating to His or their Conduct, so far as it may affect, or be anywise construed to affect, any Foreign Prince, Power, or Potentate, whatsoever, untill the same shall have received the King's approbation, signified to your Lordships by one of His Majesty's Principal Secretaries of State. As to all other Matters of Correspondence, which shall from hence forward pass, between your Lordships and the respective Governors in America, you will please to proceed in the usual Manner.

And whereas your Lordships are further directed, by the said Order of Council, from Time to Time, as Vacancies shall happen by Deaths or Removals, to present unto His Majesty for His approbation, the Name or Names of such Person or Persons, as your Lordships, from the best of your Judgment and Information shall think duely qualified, to be Governors or Deputy Governors, or to be of His Majesty's Council, or of His Council at Law, or Secretaries in the respective Plantations ; And likewise to present to His Majesty, for His approbation, the Names of all other Officers, which have been, or may be found necessary for the Administration of Justice & the Execution of Government there, excepting *only* such, as are, or may be, appointed for the Direction and Regulation of His Majesty's Customs & Revenues, & such as are or may be, under the Directions & Authority of the Lords Commissioners of the Admiralty. I have the King's Directions, to inform your Lordships of His Royal Intention, as to the Manner of your Proceeding herein, Viz^{t} That in all such Cases, where the Names of proper Persons for any of the Offices abovemention'd, have usually been laid before His Majesty in Council, Your Lordships, are to follow the same Method for the future & in all other Cases provided for by this Order of Council, your Lordships are to transmit to One of His Majesty's Principal Secretaries of State, to be by Him laid before theKing, for His Majesty's

approbation, the Names of such Persons as you shall Judge the most Capable, of Executing any such Office or Trust as specified in the abovemention'd Order of Council.

I am
My Lords
Your Lordship's
Most Obedient
humble Servant
Holdernesse.

Lords of Trade.

[4-96]

[*Document endorsed "Letter to Lt Govr Phips relating to the Murther of the 3 Indian Children at Port Reservay — Rec'd Aug:* 30 1752"]

Hampton Aug. 13, 1752. —

Sir, The other Day when I was at the Sholes I hear'd it publicly said among the People there that two Schooners belonging to Richard Talpy and Henry Carter went into Port Reservay the 7, of June 1752. Invited three Indians on Board and in the night Thomas Horn Junr William Caswel and Peter Barter Junr kill'd them, if your Honour wants more public Knowledge of the Affair, send over and there you may hear enough thereof at the Sholes.

Please to cause the above to appear in public print that all may be on their Guard.

I have sent the same to Governour Wentworth and to Governour Hobson.

Hampton Aug. 13. 1752. I am your Honour's and Country's Friend & humble Servt P. I.

P. S. If but one Officer goes over the Murtherers can easily escape for the Sholes lay partly in each Province

N. B. 13 Hands in both Schooners —

The above was superscribed as following viz.

To His Excellency
Spencer Phipps Esqr
Lieu^t Governour of the
Massachusetts Bay Q. D. C. —

Copy Examined ℔ Fra: Foxcroft Ass^t

[4-97] [*Action of House of Representatives on the Foregoing.*]

Province of
New Hamp^{r}

In the House of Representatives Sepr 30th 1752 Voted that the following be an answer to his Excellencys message of yesterday by Richard Wibird Esqr If your Excellency thinks it Expedient to Issue a Proclamation for apprehending the Persons mentiond in the Letters Signd P : I. as murtherers, the House Consent that a Reward of Fifty Pounds New Tenor be offerd to any Person or Persons who shall apprehend the said Persons in this Province — And they are Convicted — But the House are of the opinion that the most likely way to have them apprehended would be to Send an officer or officers to apprehend the Persons suspected before a Proclamation is Issued — Matthew Livermore

Clerk

[4-98]

[Copy of grant of land by the government of Massachusetts, in 1735, to Governor Jonathan Belcher, "in consideration of the services of his late Brother Mr Andrew Belcher, deceased, in the Canada Expedition Anno 1690." The land is described as follows. — Ed.]

At a Great and General Court or Assembly for his Majestys Province of the Massachusetts Bay in New England — begun and held at Boston upon Wednesday the 28th Day of May 1735, and Continued by several Adjournments to Wednesday the 19th of November following. —

January 6th 1735. Two Plats of Land on Connecticut River laid out by Ebenezer Hinsdale, and Chainmen, on oath, containing in the whole one Thousand Acres intended for the fullfilling of a Grant made by this Court in the year 1734, to his Excellency Jonathan Belcher Esqr the larger Tract Containing six hundred acres and beginning at two Butter Nutt Trees mark'd IB. and standing on Connecticut River at the lower End of the third Interval Meadow on the East side of the River from Cold River, thence East one hundred and thirty four Perch to a Corner, then North Four hundred and seventy perch to another Corner ; then West ninety five perch to a Butter Nutt Tree mark'd IB, on the Bank of the River ; & from thence down along the River to the Butter Nutt Tree where it began. —

The other part containing four hundred acres lying opposite to the former and beginning at two white Pine Trees mark'd IB. about one

hundred and thirty Perch above the brook in the lower Part of the second Interval Meadows on the West side of the River, below the Great Falls; [now known as Bellows Falls] thence West two hundred and twenty perch to a Corner, thence East 13° 30′ North, two hundred and seventy Perch to a Pitch Pine Tree on the Bank of a River, thence up the River to the Place first mentioned; the Courses being taken by the Needle. —

[4–99]

[Petition of Andrew Belcher, of Boston, dated November 18, 1752, asking to have the grants mentioned in the foregoing confirmed by the government of New Hampshire. — Ed.]

[4–100]

[*Petition of Daniel Rindge, for Compensation for Money expended by his Father in the Boundary Line Controversy.*]

To His Excellency Benning Wentworth Esqr Capt General Governor & Commander in Chief in & Over His Majesty's Province of New Hampshire in New England. —

The Humble Petition of Daniel Rindge of Portsmouth In Said Province Merchant in behalf of himself & Brethren Children of John Rindge Late of Said Portsmouth Esqr Deceased Shews —

That Your Petitioner's Father the Said John Rindge Deceased was Greatly Serviceable to this Province in the Affair of bringing forward & Carrying On the Process for Settling the Boundary Lines between this & the Province of the Massachusetts Bay, & in Negotiating other Matters which he Apprehended to be for the Interest of this Province. — And for that Purpose advanced Large Sums of money in England to the Great Detriment of his Private affairs, whereby he very Considerably Sunk his Estate, & Lost many Advantages which he Might have made to himself, and for the Interest of his Family. —

That the Payment made by the Government here Since his Decease, was far from being an Adequate Satisfaction for the Damages he Sustain'd by Serving the Government in the Manner aforesaid, for he lay out of the Money all his Life time afterwards, nothing being paid till after his Decease —and not till near Seven Years were Elapsed from the time the Money was advanced, and tis Needless to Observe to Your Excellency how greatly Prejudicial it must Inevitably prove to a Man in Trade Here, to advance a Large Sum in Sterling Money in Great Britain, & be paid only according to Exchange

in bills of Credit here Seven Years afterwards, even with the Lawful Interest, & more So if that was not paid — So that upon the Whole Your Excellency will undoubtedly Judge that had our Father never been Concernd in the Premises, it would According to all Human Probability have been much better for us. And Your Excellency is too Well Acquainted with the Prevailing Temper of the Assembly, to Suppose there is anything farther, to be Expected from their Generosity & Sense of the Service aforesaid, if they were to be in the Warmest Manner Solicited, & therefore your Petitioner can have no Hopes but from Your Excellency's Consideration of, and Justice in the Matters aforesaid. Wherefore Your Petitioner Humbly Prays you would be pleased to Grant to him & his Brethren a Tract of Land Sufficient for a Township on Some Part of Baker's River So Call'd to hold to them their Associates Heirs & assigns on Such Terms & Conditions as may be a Sufficient Encouragement for them to Make a Settlement And Your Petitioner as in duty Bound Shall Ever Pray &c —

Daniel Rindge

[4–102] [*Soldiers' Petition for their Pay*, 1753.]

To His Excellency Bennin Wintworth Esqr Captain General Governer and Commander in Cheif in and over His Majestyes Province of New Hampshier in New England and to the Honourable the Councel and house of Representitives in General Assembly Convened

The Humble Pitition

of us the Subscribers Most Humbly Sheweth that your Pititioners were Souldiers in his Majestyes Sarvice a scouting in the fronteers of this Province by order of this Goverment in the Last summer of ye Late Indian War and as we have not as yet been Paid for said sarvice is a hardship upon us We Humbly Pray that our wages May be Paid to us as soon as posable and that your Excellency and Honours would Allow us some Intrest or advance on our wages by Reason of our Staying so long for it as to your Grate wisdom and goodness shall seem Meet and your Pititioners as in Duety bound shall Ever Pray

Province of New Hampshier
March ye 6th 1753
We the Subscribers in behalf of the rest that went out of Capt Marstons and Capt Hobbs Company

Nathniel Mason
Eliphalet Sanbun
Nathenel Batcheldr
Simon godfree
Joseph Low
Saml Shaw

John Shaw
Daniel Samborn
John Elkins
John Mason
Nathan Blake

[4–104] [*Soldiers' Certificates.*]

Dover March 19th 1753.

This is to Sertifie whome it may concern that I have Serve ye province under the command of Captt Jobe Clement for the Space of one month as Soldier in ye province Service In the year one thousand Seaven hundred & forty Eight

His
Samuel W Wamoth
mark

Provance
N Hampsher } Dover March 19th 1753

Samuell Wamoth Came and made Oath that He Had Served in the Scout one month in the yere 1748 under Jobe Clements Cap at Rogster — — Son be for me Thos Wallingford Js Pec —

[4–104]

The Deposition of Henery Bickford of full aige Testifieath and Saith, that I The Deponant Well knew that my son Aron Bickford under aige: was prest by Capt Joseph Hicks of Dover: and sent to Rochister and was under the Command of Capt Job Clements untel the first Day of october 1748: and I the Deponiant, Well Remember that the Time my son Was in that Sarvice was three months and sum Days, and furder Sayeth not: Henry Bickford

Provance of
N Hampsher } Dover aprell 6th 1753

Henery bickford Came and mad oath to the a bove Depshon and that it is jest and true

be for me Thomas Wallingford Js Pec

[4–105]

Ebenezer Jones Came in to the Scout at Rogestr under the Command of Capt Job Clements august 9th 1748 and Continued till the 30 day of Sept next Ensuing. Ebenezer Jones

Provance of
N Hampsher } Dover aprell 27th 1753

Ebenezer Jones mad Oath to the truth of the a bove a Count by Him subcribed that is jeast and True be for me —

Thos Wallingford Js Pec

[4–105]

Ephraim Ricker and Joseph Dowins Came in to the Scout at Rogester under the Command of Capt Jobe Clements August 1th: 1748 and Served one month Eich man

His
Joseph + Douns
mark
Epharim Ricker

Provance
N Hampsher } Dover Aprell 29th 1753

Eparam Rickrs and Joseph Douns Came and mad Oath to the Truth of what is Riten be for me Thos Wallingford Js Pec

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[4–105]

Province of
N : Hampr } In the House of Representatives May 7th 1753 —

Daniel Allen made oath that he was in the Service under Capt Job Clements decd in the year 1748 the Space of nine weeks in the Room of a pressd man five weeks at one time and four at another —

attest Matthew Livermore — Clerk —

[4–106]

Greenland June 7th 1753

Then John Allen Appeared & Made Oath yt he was Aleaven days in ye Sarvis of this Goverment Scouting in ye fruntears Under the Comand of Capt Joab Clements in ye year 1748

Corom Clemt March Jus. Pea

[4–106]

Province of
New Hampr } June the 19th/ 1753 then James Kenniston Made Solomn oath that he in the year 1748 Served a Soldier one Month at Barrington under Capt Clemons and has Never had one Penny of the Country Wages for sd service

Sworn before Moses Leavit Jus : Peace

[4–106]

Province of
New Hampr } June the 20th/ 1753 then Benjamin Folsom appeared & Made solomn oath that in the year 1748 he served a soldier Nineteen Days at Barrington in sd Pro : under Capt Clemons, and has Never had one Penny of the Country Wages for said Service : & at the same time he was servant to his Master Moore

Sworn before Moses Leavit — Jus : Peace

[4–108] [*Deposition of John Hodgdon, Soldier*, 1753.]

The Depotition of John Hodgdon a solder at Rochister under Capt Jobe Clements Testifieath and saieth That I the Deponant was hiard by Capt John Newmarch at Portsmouth and Capt Sherborn of the plains to Sarve at ye above sd Rochister and a Cordingly I the Deponiant went from Portsmouth To Rochister may the fourth and faithfully atended the Dutey untell the Last Day of September Insuing

his
John + Hodgdon
mark

Province of
New Hampshire } Dover June the 6th 1753 —

then mr John Hodgdon made solemn oath that the a bove written Depotition is Just and true and he the Deponiant being Cearfully Cautiond to Declare the truth —

Coram — John Gage Justt Peace

[4–109]

[*Communication from the Selectmen of Northfield, Mass., concerning Title to Land.*]

Sr We Are Informed that Sundry Persons are Designing to Petition Your Excellency for Some Lands that We Apprehend we have a Legal & Just Right to as well as the Possession of, & are Included in Northfield Origenal Grant from the Genl Court of the Province of the Massechusetts Bay, tho' upon the Late Running of the Line they happen to fall within the Province of New Hampshire — We Should have Preferd a Petition to your Excy for a Grant of those Lands could we have tho't it proper & Necessary.

But the Grant of the Town of Northfield being made before the Vacation of the first Charter to the Province of the Massachusetts we Judg'd we had an Indisputable title to those Lands — But if We are

Mistaken we hope & Desire Your Excellency to Inform us by the Bearer hereof. We are your Ex^cy Humb Serv^ts

Northfield June 16th 1753. Eben^r Alexander, Azariah Wright, Joshua Lyman } Selectmen of the Town of Northf^d

His Ex^cy Ben Wentworth

P: S: herewith is Inclos^d a Coppy of the Grant of the Town of Northf^d

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[*Petition of Captain Phinehas Stevens for the Establishment of a Trading House,* 1753.]

[Hibbard MS. Collection, Vol. III., p. 171.]

To His Excellency Benning Wentworth Esqr Capt General Governer and Commander In Chief in & over his Majesty's Province of New Hampshire, The Honorable His Majesty's Council & House of Representatives for Said Province in General Assembly Convened June 26th 1753 —

The Memorial of Phinehas Stevens of a Place called Number four in said Province Gent. Shews

That your Memorialist being well acquainted with the Situation & Circumstances of the Western Frontiers of this Province the Great Difficulty & charge which would inevitably arise in Case of an Indian War, to Enable the Infant Settlements there to sustain the shock & maintain their Ground, and the Great Detriment it would be to the Province in General to have those Settlements broken up — Begs leave humbly to Suggest —

That your Memorialist is also well acquainted with the Genius Manners & Interest of the Indians who live near, hunt, or upon other occasions resort in & about those Parts — and has often Remark'd that a Present Interest & advantage has as great an Influence upon them, as upon any others of mankind and more firmly Attaches them than any other motive whatsoever —

That no means has been found so Effectually to dispose them to Friendship with the English, as the Establishing a Public Fair Trade with them at Houses appointed for that purpose, by the Government, supplied with sortable vendible goods among them, at such easy Rates as no Private Person can afford, under such Regulations as will create a confidence in them, that they are in no danger of Imposition; the Terms of Traffick being stated & known on both sides — which method has been Experienced in the Neighbouring Government, to

answer such valuable ends as to be a sufficient Inducement to continue the Trade from the year 1726 to this Time, and tho' as they have stated it they make no Profit upon the Goods supplied the Indians, yet by the Profit made on the Goods Received this trade supports itself & Ballances all out sets. —

That a Truck House erected a little above the outmost Settlement in this Province on Connecticut River suitably Fortified Furnished & Regulated, as it would be of Singular advantage to all the new Settlements near so it would more Remotely be Beneficial to all the Frontiers, and the first Expence of it would not amount to the charge of Six months War; which would be all that would arise by it, for as said before the Ballance of the Trade would fall in favour of the Province. —

That amoung the many advantages which such a Trade would produce the Preventing war & Bloodshed ought not to be forgotten — there is this also which your Memorialist begs leave to observe; that it will Conciliate the minds of the Indians to the Extending the English Settlements farther into the Country, bring them to a Greater Familiarity, and Remove at least in some Good Measure those Groundless Jealousies which the French find it their Interest to Raise & Foment, and by Degrees may prove a means of uniting them to our Interest Intirely. But if there was nothing more than Lengthening out the Peace & giving a further opportunity of advancing the settlements it would be a sufficient motive to establish such a Trade as your Memorialist Concieves — all which he Humbly Submits to your Excellency's & Honours Wisdom — and Begs leave to Subscribe himself Your Devoted Servant

Phineas Stevens

[Captain Phinehas Stevens was one of the grantees of the town of Charlestown, under the original grant from Massachusetts of December 31, 1735. He distinguished himself by his bravery in defending the fort there against an attack of the French and Indians, April 4, 1747. — Ed.]

[4–111]

[*Timothy Clement, relative to a Survey of the Lake*, 1753.]

To his Excelency Benning Wentworth Esqr and to the Hona^rble^ Councill and to the Rest of the Hon^bl^ Court In the Province of Newhamshier — Gentelmen —

The Potition of Timothy Clements Resident in Haverhill Humbley sheweth —

That wheairas your Poor Potitioner Did in the Year 1744/5 in List

under Leu^{t} John Chandler of Pennycook for to scout In the woods in his Majesties Sarvice for two month : and soon after Co^{l} Rolf Informs him that His Excelency with sum of the Hor^{bl} Councill Desired Him to goo him Self and Survay or take a Plan of winepesocky Pond and that He or whosoever should Goo should be honarably Paid for Doing the Same upon which account the s^{d} Clements With the advice of Co^{l} Rolf thinking it might be of Greator Sarvice to the Province in many Respects To tak a Plan of the Pon^{d} than To goo as a solder : the s^{d} Clements Hired a man to goo in his Place and Stead In His Majesties sarvice and He himself went To sarve the Province and when he came to the place or Pond he agreed with Two Perticular Hands to Cary the Chain Round the whole of ye Pond So that He might be the more sartain of Rendring a True Plan to His Excelency or the Government and accordingly He Has Taken and Drawed it of and sent it to the Governour or Council by Co^{l} Rolf in ye year 1745 that is a True Plan of the Bignes of the Pond and of Each angle that it made from the merideon which Plan the s^{d} Clements is Ready to make oath to at any time and he never Had any thing of the Province But Twenty four Days a Lowance which was a bout Equal to the money He Paid out so that He never Has yet had any thing for forty Days Sarvice that he Did Eaight years ago for the good of the Province as he thought By good advice (now If His Excelency and the Honarable Council with the Rest of the Honrable Court would Se cause to make him a just and Resonable alowance for so many Days Sarvice in Such an Imployment as Survaying and finding Him Self it would Greatly oblige Him who Has bin Your faithfu^{ll} Sarvant an so Remains Timothy Clements

Haverhill July ye 2^{d} 1753

Prov N Hamp^{r} In Council July 11 1753 read & ordred to be Sent down to the hon^{ble} the House of represent^{a}

Theodore Atkinson Se^{ry}

[4–112]

Province of New Hamp^{r} } In the House of Representatives January the Seventeenth 1754—

Voted that there be paid unto Mr Timothy Clements the Sum of Twenty Pounds new Tenor out of that part of the Interest of the twenty five thousand Pounds Loan appropriated for Cutting Roads

Imploying proper persons to Search out and take Plans, in full for his surveying and taking a Plan of Winnepissiokee Pond

Matthew Livermore — Clerk —

In Council Jan^{ry} 18th 1754 read & Concurr'd

Theodore Atkinson S^{ry}

In Council Jany 26 B Wentworth

[4–113 to 116]

[Petition of Joshua Prescott, of Kingston, whose son John was taken sick at Louisbourg, and died after his return. He wanted Dr. Eliphalet Hale paid for attendance on his son. The petition was dismissed May 4, 1754. — Ed.]

[4–119] [*Copy of Power of Attorney to John Thomlinson.*]

Know all Men By these Presents That We Theodore Atkinson Richard Wibird Meshech Weare Esq^{rs} and Henry Sherburne jun^{r} as Trustees for the Province of New Hampsh^{re} and a Committee for this Purpose Specially Appointed Have made Ordained Constituted & Appointed and by these Presents Do make Ordain Constitute & Appoint John Thomlinson of London Esqr and in Case of his Decease his Executors or Administrators Our true & Lawful Attorney for us & in Our Names & trust aforesaid & on Our behalf for the use of Said Province to Accept all Such Annuities as he or they have or Shall Purchase with the Money belonging to Said Province for and to Cause the Same to be Enterd in the Transfer Books (or other Books and at Any Office or Place proper for the Same) to & in the Names of us the Said Theodore Atkinson Richard Wibird Meshech Weare & Henry Sherburne Junr as Trustees for the Province aforesaid in Such Way and Manner as that it may Appear That the Said Annuities and all the Interest Profit & Advantage that Shall Arise thereby belongs to Said Province, Giving and hereby Granting unto the Said John Thomlinson full Power and Authority to Receive the Said Interest and dispose of & Apply the Same as We the Said Trustees or the Major part of us or Our Successors in the Said Trust Shall from time to time Direct him Pursuant to Such orders Relating to the Same as We Shall Receive from time to time from the General Assembly of Said Province, And to Do or Cause to be done all other Acts matters & things needful in the Premises as fully & amply in Every respect as if We were Personally Present. All which We do

hereby and Will allow Ratify & Confirm In Witness whereof We have hereunto Set our hands & Seals the twentieth Day of April Anno Domini 1754. —

Signed Sealed & Deliverd In Presence of us

[See Vol. VI., p. 273. — Ed.]

[4–120]

[*Resolve of the New York Assembly concerning Indian Affairs.*]

Assembly Chamber the 17th April 1754 —

Resolved that in as much as the Securing the five Indian Nations and those in alliance with them in the British Interest is of the utmost Consequence to all his Majestys Colonys on the Continent; and as they have requested to have Forts Built among them to Secure their wives and children when they go out to War in behalf of the British Nation and as the Building Such Forts and Some others on the Northern Parts of this Colony will cover; and in a Great Measure Secure the Settlements of Severall other of his Majesty Colonys against the Incursions of the French, and their Indians; His Honour the Lieutenant Governor be humbly addresd to use his Endeavours with the Neighbouring Governments to Joyn with this Colony in the Expence of Erecting and Maintaining Such Forts and to assure him that this House will readily come into any well concerted Scheme for that purpose —

orderd that Mr Thomas and Mr Miller wait on his Honour with the sd Address By order of the Genl assembly

Abm Lott Junr Cl

New York 20th April 1754 —

A true Copy Examd ℔ Geo Banyan D. Secry

A true Copy Examd ℔ M: Livermore clerk

[4–121]

[*Petition for a Division of the Province into Two Counties*, 1754.]

To His Excellency Benning Wentworth Esq Govr &c. The Honl his Majestys Councill & House of Represves In Genll Assembly Convened at Portso ye 9th of Apl 1754 —

Wee the Subscribers Inhabitants of the Province of New Hampr on the west side of Merimack River —

Would most Humbly Remonstrate —

That the Extent of the Settlements in this Province is upwards of

One Hundred miles Westward from Portsmouth the place where all the Courts are held —

That the Difficulties of travil & expence to & from Portsmouth on all County Emergencyes Lays the Western Inhabitants under Insuperable Disadvantages As well As the Occasion of great delay to the Partys & Jurors who Necesarily Attend the Courts of Judicature, by Which the Province is Greatly Impoverished

That we Humbly Apprehend these Greivances might be in some Good Measure Redress'd by Dividing the Province into two Countys which also wou'd be Ameans of a Great Increase of Inhabitants & Improvements in the Western parts of this Goverment. —

Wherefore we Humbly pray that Your Excellency & Hon^{rs} would take the premises into Consideration & Divide the Province into two Countys by Such Dividing line & with Such Powers And Authoritys As in Your Wisdome shall be tho^{t} Best, and as in Duty Bound Shall pray —

Hugh ^{mc}Gunis	Willm Boies	frances Barnett
Joh Burns	John Quig	Robert Walker
Samuel Killpatrick	william meedel	Richar mcallster
Matthew Little	Benj : Smith	Robert Gillmor
John Moor	Daniel moor	David Burns
William Petterson	Willem moor	John Patterson
James Walker	Sam^{a} Patten	John Littell
James Kennedy	William Holms	John Moor Junr
Noah Thayer	Robert Homes	John Bell Junr
James Lyn	James Little	Moses Barron
Joh Bell	Willm Barnet	

[See Vol. VI., pp. 342, 346. — Ed.]

[*Sheriff Thomas Packer, relative to the Rescue of Anthony Bowen, and a Prisoner at Gosport*, 1754.]

[From Hibbard Collection, Vol. III., p. 174.]

To His Excellency Benning Wentworth Esqr Capt General Governor & Commander in Chief in & over his Majestys Province of New Hamp^{r} the Honble His Majesty's Council & House of Representatives for said Province In General Assembly Conven'd Novemb^{r} 26th 1754. —

The Humble Petition of Thomas Packer Esqr Sheriff of said Province Shews. —

That your Petitioner Immediately upon the Rescous & Escape of Anthony Bowen out of his Majesty's Goal (a fact well known) gave

orders to all his under officers with a Promise of a suitable Reward to apprehend and secure him that he might be bro't to Justice Pursuant to which three of said officers in October last at Londonderry took the said Bowen (he walking openly in the streets there) and had him in their custody at Sam[l] Rankins a Public House in said Town and while one of said officers came to your Petitioner then in said Town at about Miles Distance to inform him what was done there came into the Room near twenty armed men & with menaces & Imprecations violently Rescued the said Bowen out of the keepers hands & carried him off in a very few minutes after the Messenger to your Petitioner was departed to inform him as aforesaid — and as these Rescuers were unknown to the said keepers your Petitioner could not as yet take any steps toward bringing them to Justice.

That your Petitioner having lately had an Execution for a large Sum on a Judgment obtained at the last Super[r] Court by Jona[a] Moulton jun[r] of Hampton against Zach[r] Foss and Edmund Grouard both of Portsmouth Committed to him to serve the said Foss kept close while in Town and lately sailed for [the name is partly gone; it is Ch ck] and the said Grouard Residing at Gosport your Petitioner supposing he would not be seen by him made a Deputation to M[r] Joses Philbrick of Rye to serve the said Execution upon said Grouard and accordingly the said Joses on the 25th Instant took the said Grouard at said Gosport and was bringing him away from thence when a number near fifty men & many of the Principal Inhabitants there arose & Rescued him out of the said officers hands whereby he has Escaped.

That it appears there is a very Mobbish tumultuous Spirit prevailing in the Common People in many Places in this Province & especially Inclining them to Resist & Oppose all the Officers of Justice for several Instances of this nature have lately happened Notwithstanding the late good Law for duly Punishing such offences which is little regarded as none have yet suffered by it. —

That your Petitioner concieves he need not say much to Represent of what Importance it is to the Public Weal that he and his officers should be duly supported Protected & Encourged in the Execution of his Office it being the end of the law without which all Preceeding Process will be only a Burden — And as the apprehending & bringing these offend[rs] at Gosport to Justice will be attended with great Expence your Petitioner humbly prays that he may have the Countenance of the Government so far as to be aided with a Competent Sum of Bills of Credit out of the Public Treasury or other ways at the charge of the Government that he may be able to Provide that assistance

which shall be found necessary to this end and without which it cannot be done — And as in Duty Bound yor Petitioner shall pray &c

Thos Packer Sheriff

Province of New Hamp^r In Council December 12th 1754 — read & ordered to be sent to the Honble House —

Theod^r Atkinson Sec'ry

[4–122]

[*Robert Hale relative to an Expedition against the French,* 1755.]

Province of New Hampshire } To the honorable the House of Representatives in General Court now assembled March 19, 1755 —

The Memorial of Robert Hale humbly shews That ye Memorialist being commission'd by the Govr of the Mass^a Bay to repair to this Province to sollicit this Governm^t to unite with that & some neighbouring ones in an Expedition (the particulars relating to which have been laid before this House by his Excellency Gov. Wentworth) & this having join'd with the upper House by a Com^tee to consider s^d Expedition, the s^d Com^tee made report to raise 600 men as the Quota of this Province in s^d Expedition which report your Mem^o is informed by the Secretary was only so far accepted as to raise only 400 men, which ye Mem^o is apprehensive may tend very much to the Disadvantage of all the Gov^ts Concerned & may probably be attended with fatal Consequences, wherefore ye Mem^o not only in faithfulness to his Trust but from a real concern for the Good of the community of New England as a Member of the same, desires to be heard before this honorable house on the Subject of s^d Report, hoping he may be able to throw such a light on the affair as will readily show the Expediency & even necessity of reconsidering their Vote on S^d Report & of accepting the report as it at first stood & as in Duty bound shall ever pray

Rob: Hale

[See Vol. VI., pp. 356, 362. — Ed.]

[4–123] [*Proclamation against some Indians,* 1755.]

By his Excellency Benning Wentworth Esqr Captain General Governour and Commander in Chief in and Over his Majestys Province of New Hampshire in New England & Vice Admiral of the Same

A Proclamation

Whereas the Indians of the Norridgwock, Arresaguntacook, Wewenock And Saint John's tribe And the Indians of the other tribes

Inhabiting in the Eastern and Northern Parts of his Majestys Territories of New England, the Penobscot Tribe only Excepted Have, Contrary to their Solemn Submission Unto his Majesty, Long Since Made and frequently Renewed, been Guilty of the Most Perfidious Barbarous And Inhumane Murders of Divers of his Majestys Subjects —

I have Therefore tho't fit to Issue this Proclamation and to Declare the Indians of the Norridgewock, Arresaguntacook Weweenock And St John's Tribes And the Indians of the other tribes now or Late Inhabiting in the Eastern and Northern parts of his Majestys Territories of New England And in alliance and Confederacy with the Above Recited Tribes, The Penobscots only Excepted to be Enemies Rebels and Traitors to his most Sacred Majesty — And I do hereby Require his Majestys Subjects of this Province to Embrace All oppertunities of Pursuing, Captivating, Killing And Destroying All and Any of the aforesaid Indians, the Penobscots Excepted

Given at the Council Chamber in Portsmouth the 3^{d} Day of July 1755 In the 29th Year of the Reign of Our Sovereign Lord George the Second by the Grace of God of Great Brittain, France and Ireland King Defender of the faith &c^{a} B Wentworth

By his Excellencys Command with Advice of Councill
Theod^{r} Atkinson Sec^{ry}

God Save the King

A true Copy from the original — Exam^{d} ℔
Matthew Livermore clerk of the House of Representatives

[See Vol. VI., p. 410. — Ed.]

[4–124] [*Memorial of Kneeland & Russell, Printers.*]

To His Excellency Benning Wentworth Esqr Governor and Commander in Chief in & Over His Majesty's Province of New Hampshire the Honble His Majesty's Council & House of Representatives for Said Province in General Assembly Convened the 3rd Day of July 1755 —

Humbly Shews

Daniel Kneeland & Joseph Russell both of Boston in the County of Suffolk Printers That they upon a Prospect that their Business would meet with Encouragement here have taken a Journey to Inquire into that Matter and find many Gentlemen Disposd to promote the Same But as their Removal with their Tools & Implements together with the Loss of time before they can in that Case be Re-Settled

will be attended with Considerable Expence they are unwilling to Run the Risk of a Removal (as they are but beginners in the World) without first Obtaining Some Assurance of the favour & Countenance of the Government here both with Regard to their having the Benefit of all Such Service as the Governm^{t} Shall have Occasion of in their Way & of Such Assistance in Setting up as in Your Great Wisdom & Goodness you Shall Judge proper — wherefore they Pray that they may know whether they may Depend upon any Aid in these Respects & Especially the Latter which will be Suiatably acknowledged by Your Humble Memorialists — Daniel Kneeland
July 3^{d} 1755 — Joseph Russell

In Council read & ordred to be Sent Down
Theod^{r} Atkinson Se^{ry}

[4–125] [*Governor's Orders to Colonel Hinsdale.*]

Portsm^{o} Novemb^{r} 13th 1755

Sr The Enclosed Letter to Coll: Peter Gillman Contains Govr Wentworths orders to Leave forty of his Men (on their return home), for the Present Protection of the frontiers of this Province on Connecticut river he the Govr Proposes 20 of them to be Posted at Charles Town al^{s} N° 4 — 10 at Bellows's fort & 10 at Hindsdale & fort Dummer not always to be in Garrison but frequently Employd in making Discoverys of the Enemy if Any Approach the Settlem^{t} there abouts — as Soon as Mr Neal returnd I made it my Bussiness to Obtain the guard for your Parts tho' I hope there will be no Attempt on you this Winter at least — If any thing Should Prevent Coll Gillmans regiment's return you will be Safe; while the Army is at Lake George but I am apprehensive (tho' we have no late News) that they will not be Long Detaind — his Excellency is quite (at Present) incapacitated to think or Transact Bussiness Occasiond by the Death of his Lady who Left him after about Ten Days illness of the Dead Palsy) on the 8th Instant and is not yet Interrd So that you may think under these Circumstances I have had a Difficult Task To obtain His Grant tho' otherwise I might have met no Difficulty — the Governour is almost Inconsolable — tis now your Part to See these orders Dilivered to Coll Gillman on his return to Deerfield or other Parts of Connecticut If *he* Should not return that way in Person the orders will be as Prevalent to the Commanding officer of his regiment as if he was there in Person —

I am with Proper Salutations to Mrs Hindsdale Your most Obedient Humble Servt Theodore Atkinson

P S — you are by no means to forward Coll Gillmans Letter to Hudsons river but diliver at Connecticut river

[Endorsed] Copy to Coll Hindsdale to receive 40 men of Coll Gillman N° 13, 1755 ℔ Capt. Neal

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[4-126] [*Orders to Colonel Gilman.*]

Portsm° November 14th 1755

Sr The Council haveing advised his Excellency Governour Wentworth to Detain forty Effective men a Detachment from Your regiment to be Left as a guard to the frontiers on Connecticut river I have it (in Consiquence thereof) in Comand from his Excellency to Acquaint you thereof & his orders are that you Detach forty Young men or those that have no families unless others are Desireous of the Post for that Service You are also to Appoint Three Prudent men of that Number as Sergeants to have ye Care & Command of them — as they Are to be Seperated into three Cores Viz 20 at Charlestown 10 at Walepole & thereabouts 10 at Hindsdale & thereabouts You Are to Cause these men to be Dilivered to Coll Hindsdale at Hindsdale who has orders for their further Disposition — His Excellency is Prevented writing you himself by the Inconsolable Condition he is at Present in Occasioned by the Death of his Lady who was Suddenly Seized with the Dead Palsy & Survived the Stroke about 10 Days and Died is not yet Interrd So that Agreable to his orders to me you are to Observe the above orders as from himself — I Dont Enter into the affair of Crown Point am Sorry that heavy Expedition is like to Prove abortive but glad that neither your nor the Province of N Hampr are any ways to blame We have no news here remarkable by the Last Letters from England a Declaration of War was Dayly Expected but on the 16th September not Declared — Mrs Gillman (on whom I have ordred this Express to call) & the rest of your family were well yesterday as are your other friends for any thing I have heard Mr Speaker Sherburne has bad an ill Turne but is getting the better of it I am By his Excellencys Command — Your most Obedient Humble Servt

Copy — T A Secry

[Endorsed] Copy to Coll Gilman to Detach 40 men for frontiers N° 13, 1755 — ℔ Capt Neal Express

[An extract from the following letter is printed in Vol. VI., but as it is an important document, it was thought best to print it in full. — Ed.]

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 170.]

Portsm° December 9th 1755.

Sr — I am now set down to write you a longer Letter than I ever tho't to Trouble you with again having long since Determined to leave affairs of Government to be handed you by his Excellency Lest my Conjectures should militate with what he wrote you but as he I fear neither writes you so often or so fully as I could wish and as you in your Letter of the 7th of October (which I rec'd by Capt Seward) mention what he wrote you of the 3 of Septr rivits my opinion that I might some times Conjecture Different from the Govr tho' in matters of suits there could be no Disagreement I am at a loss to know what his Excellency founded the Councils & Houses refusal upon (it must be upon some Private Conversation) the first time the Governour mentioned a reinforcemt to Genll Johnson's army to the Genll Assembly was the 2d September in the afternoon the 3d it was under Consideration the 4th they voted the raising 150 men the 5th they augmented the number to 300 & Passed an act to make £15000 to Pay the Charge so that if ever any of his Majtys Provinces were allert in his service twas N Hampr in that affair at Least But because you should know in General what we have done in that Expedition I will begin with the first Notice we had of it in this Province

upon the 11 Day of March last Coll Hale of the House of ye Mass. came to town with a Comission from Governr Shirley to Communicate the grand Scheme of the Crown Point Expedition a Secret that the Massa Court had Bound themselves by oath not to Divulge for some months before he Communicated it to Govr Wentworth & his Excellency to the Council & assembly useing the Precaution of an oath in the Lower house this Gentleman brot the Quota each Government were to bear from his own Court ready assigned thus 600 men from New Hampr 1200 from Boston 500 Rhode Island 1000 Connecticut 800 N York we could not compare our Quota with any the Governmts to be Concerned so well as the Massa with whom we never bore more than 1/10 & we have been often Concerned in Expeditions together in the Louisbourg Expedition we raised 500 the Massa allowed it to be more than our Proportion & as they could not easily raise the number they Designed which we understood was 3000 Govr Shirley Desired Govr Wentworth to retain 3 Companys of the men

he had raised & that they should be in the Pay & Subsistance of the Mass^{a} who was also at the charge of the Transports &c they were in the N. Hamp^{r} regiment but were really at the Expence of the Mass^{a} which shows what they tho^{t} a Proper Quota and tis certain that Governm^{t} has 10 times the men that this hath still they doom^{d} us one half the Number they Proposed to raise when this was mentioned to Mr Hale he said their Province had raised a regiment for Govr Shirley another for Sr Wm Pepperell 2 others for an Expedition to Nova Scotia therefore they ought to be Considered with respect to the Quota of men we told him in those four regiments there was more than a Duble Proportion of N Hamp^{r} men & tho' they might have the Credit of raising those regiments they had not a Proportion of Mass^{a} men in them which was really the Case he then said if more than an exact Proportion of our men did not take on us the Expedition there would be an end & that if we would find 5 or 600 men he would engage that they should be Subsisted with Provisions without any Cost to this Governm^{t} upon this N. Hamp^{r} Voted 500 men raised them had them in the woods 2 months before the other Provinces got their men upon Hudsons river all this time we victualed our own men our regiment under the Comand of Coll Blanchard remained 3 weeks at Albany before Gen^{ll} Johnson could employ him otherways than in guarding the Provisions up where he spent 500 Sterling In supporting his regiment notwithstanding the Mass^{a} Promises and all the Provisions Philadelphia had given which would have subsisted the then army more than two months, at last our regiment was ordered up and was subsisted out of the common stock — Coll Blanchard had the Post & Command of fort Edward on the carrying Place, the York regiment & his own under his Command there — In the engagement with Gen^{ll} Diescau about 80 of our men with about 40 Yorkers many of which last was of little service tho' others of them behaved well I say this small Party under the Comand of Capt Foulsom of N Hamp^{r} not of Megennis as was at first mentioned tis tho^{t} kill^{d} more of the Canadians & Indians than was kill^{d} at Gen^{ll} Johnsons Camp — they Continued an obstinate Engagement with more than one thousand indeed all that retired from before Gen^{ll} Johnsons Camp Kill^{d} great numbers of the enemy recovered about 1200 Packs beat off the Enemy carryed their own wounded men to the Camp This engagement lasted about three hours when night came on and the French & Indians went off & left all — after this our regiment were ordered to the Camps at Lake George & were never put upon Duty but in the Scouting way which they Performed in so acceptable a way that no duty but that was required of them — Some of our men has been several times Down to the gates of Crown

Point fort — once they kill[d] & striped a soldier within a few rods of the Gates & bro[t] off his scalp & Gen[ll] Johnson could or would have had no Intelligence had it not been for our men These things I mention that you might have the Truth at least for your own satisfaction — I refer you to an attested copy of our first regiment being raised which was the report of a Comittee accepted by both Houses & Consented to by the Governour and which was in every particular Complyd with & so was the second regiment of 300 men under the Comand of Coll Gilman who were as good men as Coll Blanchards tho' they had not the opportunity to Convince the world of it —

The Expedition is now at an end — why – I cant tell Provisions or rather the Transportation of them from Albany was wanting I can tell why methinks that should have been first made sure — to rally again in the spring will not be in our Power I fear We have no money & so much in debt that if we should attempt another Emission of Paper twould not Pass

what means may be found out is not with me even to guess our men are still willing to Pursue the enemy & now think they could have gone to Crown Point and have taken the fort if they had had but 4 Great Guns and would have taken the rout from Connecticut river directly without ever going near Albany and the men think our regim[t] would have been quite sufficient but the Delay alarm'd all Canada & gave them time to meet our army before they had got half way to the Intended Place of Action — So there is two forts built at this vast expence & if they are of any future service New York Governm[t] may reap some advantage but no other Governm[t] in the least — I refer you to the enclosed and am S[r] — Yours T A

P. S. Pray send me on the Province acco[t] to whom charge it four reams of best foolscap paper for Transmitting the journals &c home, & four reams of a lower sort for writing votes &c — Let them be Cutt — 4 or 500 quills 6 papers Ink Powder I have the leave of the Court to send for these tho' not a formal vote let them come early in the Spring in some Vessell bound to this Port if any if not to Boston —

Copy of the Committees report of the 15[th] March & am[o] out of Journal of Gen[ll] Assembly 23 4 & 5 September 1755 —

[Endorsed] Decemb[r] 27[th] 1755 Copy to M[r] Thomlinson Private letter about the Crown Point Expedition — Sent by Cap[t] Penny —

[4–127]

[*Petition from Towns in the Western Part of the Province for Assistance,* 1756.]

To His Excellency Benning Wentworth Esqr Capt General Governor & Commander In Chief in & Over His Majesty's Province of New Hampshire The Honble his Majesty's Council & House of Representa^{s} in General Assembly Conven'd the 3rd Day of January 1756—

The Humble Memorial & Petition of Josiah Willard Benjamin Bellows & Isaac Parker in behalf of the Inhabitants of the Towns of Keene, Swansy, Winchester, Walpole, Putney, & New Charles Town all in the Province of New Hampshire, Shews —

That the Towns aforesaid are Situate on the Frontiers of the Province aforesaid, and tho they are very Considerably Improvd So as to Raise all the Necessary Provisions for the Inhabitants, yet are now but Weak handed many of their ablest Men having Listed in the Late Expedition & are Still absent — And by their Situation the Said Inhabitants are Greatly Expos'd to Danger from the Incursions of the French & Indian Enemy from whom there Seems to be a Greater Probability of an Attack now (as the Season Favours their Travelling and the Course of their Inroads on the Settlements on Hudson's River if not wholly Prevented is Greatly Impeded by the Operations of the Last Summer & the Posting of Soldiers in proper places) than at any time Since the Last War. — That the Said Inhabitants have at their Own Expence Built Good Forts which woud be Sufficient for their Defence with a Competent number of Men which they did & Defended their Settlements while they got their Daily Bread at the Peril of their Lives During the Last War But as there Seems to be no other Rout for the Enemy to take or at Least not any where they are Invited by an Equal Prospect of Success, As there is no Room to Doubt of their Inclination or Vigilance to Improve Every Opportunity to Annoy us, nor of their Ability to Execute their Schemes for making a Descent upon Our Settlements, which they Look upon with a very Envious Eye, the Said Inhabitants Cant but Apprehend their Danger Greater now than Ever — This Fear is Quicken'd also by the Remembrance of their Great Sufferings During the Last War & which they begin now to feel again with others of the Same kind Coming upon them with Double Weight — For besides the Loss of many Lives wch they then Sustain'd, it is not a most uncomfortable Situation to be kept always in fear of being Ambushd to have Life Continually hang in Suspence & Doubt, from those who Lye in Wait to Destroy — to fear being Suddenly Dispatched or Captivated by a Barbarous Enemy when about Business in the Secure Retreat they

have — that the very Water they use is Purchasd with the hazzard of their Blood as well as their Bread at the Peril of their Lives and to have no Prospect of Help nor Asylum to fly to for Safety This State of Life Every One on the Least Attention will See is most Pittiable — But Experience only can give a just Idea of the Misery attending it — That the Great Advantage of Extending Our Settlements & Enlarging our Borders Arising Even to those who have no Immediate Interest in the New Settlements & Even to the whole Community are too Numerous to be Particulariz'd & too Obvious to need it, nor is the Opposite Case of Contracting Diminishing & Driving in those Employ'd in making New Settlements Of Striking the Disease Inward upon the Vitals & bringing it nearer the Heart So Remote & Improbable as not Worthy of Notice or too Inconsiderable to be fear'd — That the Said Inhabitants Weary of Such a Precarious Condition will not Endure it much Longer but Will & must Quit their Habitations tho' they now begin to be Pleasant (in other Respects) as Well as Profitable yet they had Rather part with all than Risque their Lives in the manner aforesaid for they may well on this Occasion Adopt those Words *Skin after Skin* — Even all that a Man has will he give to Redeem his Life But whether this will be for the Public Good — whether the Advantage Arising to the Province by Maintaining & Supporting these Settlements will Countervail the Charge is what your Petitioners would Humbly Suggest to be Considered And which Way Soever it Shall be Determined they Pray they may have an Explicit & Speedy Answer That they may not be kept in Expectation till they have no Way of Escape — till they are either Killd Captivated or have their Substance Destroyd And as they Apprehend the Danger Great wch is Impending they Pray Your Speedy & wise Resolution upon the Premises and they Shall as in Duty Bound Ever Pray &c —

Josiah Willard
Benj^{a} Bellows
Isaac Parker

In Council Jan^{ry} 2^{d} 1756 read & recomend & Sent Down to the Honble ye Assembly

Theodore Atkinson Sec^{ry}

[4–128] [*Atkinson to Weare. Court Matters.*]

Portsm^{o} Jan^{ry} 16th 1756 —

S^{r} I have this moment re^{d} a Letter from his Excellency In which he Presses & Insists upon my Setting in the Superiour Court & that I would Endeavour to Prevail with you to Do the Same I am Apprehensive he will mention the Circumstances of that Court where

Some care will be taken to make the Justices an Adequate Allowance I wish our Assembly had Prevented him by doing Something I am much Concernd at the Delay in that Court tho Concious the fault does not Lay with the Bench However I have Determined to Set if you will attend also for at Least a Court or Two tho' have by no means alterd my oppinion with my resolution & therefore I hope & must Pray your Consent to Set Pray Let me hear from you as you have not now those frequent Calls from your family you had when you came to this resolution I hope you will be Prevaild upon to Continue to Act which will under my Circumstances Obleedge

Your most Obedient Humble Sert

Theodr Atkinson

[Superscribed] On his Majys Service To the Honble Meshech Weare Esqr at Hampton falls

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[4-131] [*Chaplain Emerson's Petition*, 1756.]

Province of New Hampshe } To His Excellency Benning Wentworth Esq. Captain General, Governor, and Commander in Chief In and over His Majesties Province aforesaid — To the Honble his Majesties Council, and House of Representatives, in General Assembly Convened.

The Petition of Daniel Emerson, late Chaplain in the New Hampshire Regiment. — Humbly Shews

That Your Petitioner did proceed with the Regiment under the Command of Colonel Blanchard. And that for his Necessary Convenience rode on horseback — that his horse by himself or some of the Regiment was frequently employed till the day of the Ingagement with the Enemy was at Lake George, & that day his horse Strayed away, or by some person without his privity, was taken from Fort Edward, and that he hath not since come to the Possession or knowledge of him — that his Saddle & bridle was left at Fort Edward when he Marched to Lake George, and that on his return, on enquiry could not find them So that this Misfortune & loseing a horse of the value of Twenty two pounds ten shillings New Tenor. And a Saddle & bridle of the value of Five pounds, new Tenor has befallen Your Petitioner and left him under Necessity to purchase at Albany another horse Saddle & bridle (at a dear lay) to get home — Wherefore Your Petitioner prays that Your Excellency & Honours will Consider him in the premises. And that out of his Small Grant

for wages such a Considerable Sum may not fall on him, but that he may be favoured with the Justice & Clemency of this Honble Court, so far as to be reimbursed the value of his horse, Saddle, & bridle afores^d And Your Petitioner, as in Duty Bound, Shall ever pray

Feb^ry 20th 1756. Daniel Emerson

In Council Feb^ry 20 1756 read & ordred Sent Down to the Honble House

Theodore Atkinson Sec^ry

Province of
New Hamps^r } In the House of Representatives April 16th 1756 —

The foregoing Petition being read —

Voted, That the prayer thereof be granted, & that the Sum of Twenty Seven pounds Ten Shillings be paid the Said Petitioner out of the money In the Treasury for the Crown Point Expedition, That If the horse, Bridle, or Saddle, be found, that they be Deliverd to the Committee of Warr or their order for the use of the Government

Andrew Clarkson Clerk

In Council Eod^m Die read & Concurrd

Theodore Atkinson Sec^ry

Consented to B Wentworth

[Rev. Daniel Emerson was of Hollis. He was allowed £27. 10. — Ed.]

[4–132] [*Thomas Row's Statement. Soldier*, 1756.]

I the undernam'd Soldier Enlisted under Capt Joseph Eastman and Drafted to Lt Gerrish at my Return home from Albany was taken Sick at Dierfield the 29th of October after my Sickness proceed on my Journey ariv'd at my home the 12 Day of November 8 Days of Said time I have been at my own Expences which I leve to ye Discretion of ye Gentleman of ye Assembly or ye Committee of War to be Allowed for

Thos Row

[4–132] [*Abiathar Sanborn's Statement. Soldier*, 1756.]

I Abiather Samburn September ye 12th after a fit of Sickness at the flates near Albany Proceeds homeward have been at Dearfield under Doctor ariv'd at my home ye 26 Instant which I Leave to the Discretion of ye Gentlemen of the Assembly or the Committee of

War to be Allowed for my Expences a Coming home Said time —
Abiathar Samburn
in Capt Tashs Company

[4–133] [*Wages and Rations, Crown Point Expedition,* 1756.]

Province of
N hampshire

Allowance of wages for a Regiment of 500 Men for the Intended Expedition to Crown Point —

	N Tenor			
Colonel of sd Regiment	£36.	0	–	p Month
Lieut Colonel of Do	30	——		
Major of Do	25.	10	–	
one Commissary to Do	15.	3.	9	
one Captain of 50 Men Offr included . .	15.	3.	9	
one Lieut for Such a Company . . .	10.	2.	6	
one Ensign for Do	6.	15.	0	
(provided Such Captain Lieut and) (Ensign raise a Company of 50 men)				
one Chaplain for sd regiment	£18	——		
one Adjutant for Ditto	6.	15	–	
One Chirurgeon for Do	28.	2.	6	
1. Drs Mate for Do	15.	0	–	
3. Serjeants to Each Company to Each . .	5.	8.	0	
4. Corporals to Each Compy to Each . .	4.	14.	0	
1. Drum Major	5.	8.	0	
1. Common Drummer to Each Compy . .	4.	14.	0	
For Each private Centinal	4.	10.	–	
one Armourer for sd regiment . . .	11.	5	–	
for his Assistant	5.	12.	6	
Capt Lieut to the Colonel	15.	3.	9	
Commissary to ye Hospitel	8.	8.	9	
2 Lieuts to Each of ye Field officers Company, that the 2d Lieut in the Colo Company and ye two Lieuts in ye Lieut Colonels and Major Company	10.	2.	6	

Allowance at ye Place of Rondezvous, viz

Each man 14 ounces Bread p Day	Each man 2 Oz. Ginger p week
14 Do Pork p do	1l flour p Do
1 Jill Rum p Do	1. pint Indian Meal p Do
½ peas or Bean p Do	4. Oz. Butter p Do
½l Sugar p week	1. pint Molasses p Do

Theodr Atkinson of the Comtee

[*H. Fox to Governor, relative to the Canada Expedition,* 1756.]

[Copied from the original in Hibbard MSS., Vol. II., p. 98.]

No: 1 :/ Whitehall March 13th 1756

Sir. The Earl of Loudown, whom the King has appointed, commander in Chief of all his Forces whatsoever, in North America, being preparing to set out, with all possible Expedition together with two Regiments of Foot, a Train of Artillery, and a sufficient Quantity of Warlike Stores, which His Majesty has been pleased to order for the Publick Service, in those parts, I am Commanded to signify to you the Kings pleasure, that you should be ready to give His Lordship, and the Troops from England, all the assistance in your Power, on their arrival in America, agreeable to the Orders, sent you in Sir Thos: Robinson's Letter of Oct^{r}: 26th 1754, and you will correspond with, and apply to the Earl of Loudown, on all occasions, in the same manner, as you were directed to do with the late General Braddock, and Maj^{r} Genl Shirley.

It being of the Greatest Importance that the King's Regiments already in North America (as well as the three stationed in Nova Scotia, as the Four in the Province of New York) should be recruited, as soon as possible, to their full complement of 1,000 Men each. It is His Majesty's pleasure, that you should forthwith call together the Council & Assembly of the Province under your Government, and that you should press them, in the strongest manner, to make the most early, and effectual Provision for raising and assisting, His Majesty's officers to raise, such a Number of Men, as shall be sufficient to recruit the King's Regiments now stationed, or to be stationed in North America, up to their Establishments, and you will acquaint them, that the King, in order to encourage His Faithfull Subjects to engage in a Service, so essential for their own Defence, and preservation, does consent, that such Recruits, shall not be obliged to serve any where but in North America: That they shall be discharged when Hostilities shall cease; and that each of them shall have a Grant of 200. acres of Land free from the payment of Quit Rents for Ten Years, either in the Province of New York, New Hampshire, or Nova Scotia, at their own Choice, which Lands shall be granted them, on producing their Discharge from the Commander in Chief to the Governor of either of the said Provinces respectively; and, in Case they should be killed in the service, their Widows, & Children, shall be entitled to the said Lands, in such Proportion as the Governor, & Council of the Province wherein such Lands lye, shall direct.

You will acquaint the Council & Assembly with His Majesty's great Goodness, in having recommended their Case to the Considera-

tion of His Parliament, who have granted the sum of £115,000 to be distributed, in such Proportions, as the King shall think proper, to the Four Provinces of New England, and those of New York, and New Jersey, and thereby enabled His Majesty, not only to manifest His sense of their past Services, but also to encourage them for the future to exert themselves in the service with spirit and vigor: That His Majesty therefore expects that they will Heartily and Zealously concur in every Measure, which shall be thought advisable for carrying on the War in North America, and that they will forthwith raise the same Number of Men, in each Colony, as were raised last year (whereof as great a Proportion as may be to consist of Rangers) to act in Conjunction with the Kings Troops, in such operations, as shall be undertaken for annoying the Enemy, and recovering His Majesty's just Rights; This Service will be the less burthensome to them as the raising of the Men, their Pay, Arms, & Cloathing, will be all that will be required of them.

Measures having been already taken for laying up Magazines of Stores, and provisions of all kinds at the sole Expence of the Crown, and you will use your utmost endeavours to induce the Council & Assembly to give the necessary orders for raising their Quota of these Men, with the greatest Expedition, so that they may be ready to March to such place as the Commander in Chief shall upon his arrival direct.

It is also His Majesty's pleasure that you should particularly recommend it to your Assembly to make provision out of such Funds as already exist, or may hereafter be raised for the Kings service, for Repaying the Masters of such Indented Servants as shall engage in His Majesty's Service, the Money paid by the said Masters upon the Original Contract, in proportion to the time such Indented Servants have to serve; and you will at all times discourage the harbouring concealing or assisting such as shall desert the Service, and also use all means for discovering and apprehending such Deserters. You will likewise use your best endeavours to prevail on your Assembly to appropriate such part of the Funds now raised, or which shall be raised for the Publick Service, to be issued & applied to the general Service, in such manner as the Commander in Chief shall direct. The King would have you recommend it in the strongest manner to your Council, & Asembly, to pass effectual Laws for Prohibiting all Trade & Commerce with the French, and for preventing the Exportation of Provisions of all kinds, to any of their Islands or Colonies.

I am, Sir, Your most Obedient Humble Servant

H. Fox

Governor of New Hampshire

[4–134] [*John Carty, Wounded Soldier*, 1756.]

Province of } To his Excelency Benning Wentworth Esqr Capt
New Hamp^s } Generel Governor & Commander in Chief in & over His Majesties Province of New Hampsh^r to the Honorable His Majesties Counsil & house of Representitives in General Assembly Convened this Twenty Third Day of March 1756:

The Humble Petition of Me the Subscriber one of the volintears in the Late Expedition Under the Command of Corn^ll Blansher Esqr Showing that Your Petitioner was in the ingaigment under the Command of Capt. Nath^ll Folsham wair he was wounded in Said fight, and was Sent Down to Albeny wair I Staid untill I Gott So well as to Ride home and I thought it would be moste for the Intrest of the Goverment for to Come home and Save the Charge of my vittels, and in the Ingaigment I Splete My Gun So that I am Not only a Sufferrer By My wound but By the Lose of my Gun also: warfore Your Petitioner Prays that his Case may be Considered and that Sume Proper alowence be Maid him as in Your Grate Wisdom Shall See Meet & Your Petitioner as in Duty Bound Shall Ever Pray. —

John carty

N. B. this man had of the Committee of war . .	£10 —
D^o of the Treasurer 5£ New Ten^r . . .	20 —
not Deducted, out of the Wages on ye Roll .	£30 —

Province of }
New Hamps^r } In the House of Representatives April 16th 1756

Voted, That the Within Named John Cartty (the petitioner) be Allowed In full for Smart money, & pay for his gun, fifteen pounds, to be paid out of the money In the Treasury for the Crownpoint Expedition.

Andrew Clarkson Clerk

In Council Eod^m Die
read & Concurrd — Theodore Atkinson Se^ry
Consented to — B Wentworth

[4–140] [*Charges on Money sent to the Provinces*, 1756.]

An Acco^t of general Expences p^d on £115,000, rec^d Out of the Treasury 12th March 1756, to be remitted to North America —

P^d fees at the Exchq^r. to the Auditor Pel [?] office & Tellers on £115,000 @ 1½ ℔ C^ls ℔ £ & more 14/ for Sign Manual & Warrants . .	£719,, 9,, –

at the Treasury for Sign Manual & Warrants & Order for the Above money and for writing the Bond		9,, 5,, 6
Wm Tatcham Expences & Charges Who Conducted ye m^o^, to portsm^o^		12,, 5,, 2
To the Guard with the money to portsmouth .		37,, 1 –
To The Serjeant of ye Guard for his trouble & Extra Care		1,, 1 –
P^d^ prem^e^ £30,000 Ins^e^ at ye Royal Exch^a^ a 2½ Guin. ℔ C^t^ & Policy £787,, 14,, 6, Deduct Discount 5 ℔ C^t^ £37. 10/ Leaves . . 750. 4. 6		
P^d^ Jno Hutchinson for prem^e^ £85,000 Insur^e^ by him @ 2½ ℔ Guin. ℔ C^t^ & 4 Policy's	2232. 3	2982,, 7,, 6
Paid Capt Cornish fr^t^ £109.825 being y^e^ W^e^ Sum Shipt at 1 ℔ C^t^		1098,, 5,, –
for Bills of Lading		,, 2,, 6
		£4859,, 16,, 8

Of Which

Massachusetts Bay is Charged with $\frac{54}{115}$ being .		£2282,, 0,, 2
Connecticutt	$\frac{26}{115}$	1098,, 15 –
New York	$\frac{15}{115}$	633,, 17,, 8
New Hampshire	$\frac{8}{115}$	338,, 1,, 6
Rhode Island	$\frac{7}{115}$	295,, 16,, 4
New Jersey	$\frac{5}{115}$	211,, 6,, –
		£4859,, 16,, 8

And Each province is Interrested in the Insur^a^ in the same proportion

Errors Excepted London 5th April 1756 —

J. Hanbury

For Jno Thomlinson Barlow Trecothick

Copy from the Original

Att^t^ Andrew Clarkson Clerk to y^e^ Ass^m^

[4–142]

[*Account of Gold and Silver Purchased for New Hampshire*, 1756.]

London 3d of Aprll 1756. —

Messrs John Thomlinson & John Hanbury

Dr to How & Masterman for Cost of Sundry Parcells of Silvr & Gold vizt

packd in 8 Chests Markd N Hampshr N° 1 to 8 Inclusive

Spanish Milld peices of 8/8 bought of Sundry persons & at diferent prices but the whole reduc'd to an Average	ozs 8,000	s d @ 5/3 $\frac{45}{64}$	£2,123,, 8,, 9	
5 Bags £1000 Each 1 Ditto 516,,0,, 10 packd in one Chest Markd N Hampshr N : A,, —				
3,061 peices of Portugall Coin'd Gold each peice weigh'd seperatly at least 9dwt 5gr at the Currant value of 36/0 apiece —			£5,509,, 16,, 0	
Six pounds four Shillings & ten pence more in Gold, Silvr & Copper Coin to Compleat the proportion order'd ℔ Messrs Thomlinson & Hanbury for this province —			6,, 4,,10	
			£7,639,, 9,, 7	
For our Commission on procuring the Silvr Examening & weighing it & the Gold (each peice of Gold having been weighd by us seperatly) & packing the whole @ $\frac{1}{8}$ pr Ct			9,, 11,, 0	
9 Strong Iron bound Chests @ 2/6 Each			1,, 2,, 6	
porterage, Cartage, Old & new Baggs, Tape & Sealing wax &c			0,, 12,, 2	
			11,, 5,, 8	
			£7,650,, 15,, 3	
Charges paid by J : Thomlinson & J : Hanbury vizt paid as ℔ Accot of general Charges herewith sent, for Fees at the Exchequer & Treasury & for Insurance Freight & other Expences on the whole £115,000 issued to us £4859,, 16,, 8, of wch your proportion is 8/115ths being —			338,, 1,, 6	
hire of six Waggons to carry 249 Chests of Treasure to Portsmouth £54, 12/ being 4/4$\frac{5}{8}$ ℔ Chest — the above 9 Chests amot to			1,, 19,, 6	
			7990,, 16,, 3	

Remains in hand towards your proportion of the Charges of passing the Acco^{ts} when proper receipts are returned from America, for which we are accountable to the province of New Hampshire 9„ 3„ 9

London 5th April 1756 £8000 ——

Errors Excepted J Hanbury

For John Thomlinson Barlow Trecothick

This day personally appeared before me, John Hanbury of London Merchant, who did solemnly affirm that the within Account of Gold & Silver bought & Expences paid thereon to the Amount of £7990„ 16„ 3 out of £8000 put into his Hands jointly with John Thomlinson of London Merchant, to send to the Province of New Hampshire is just & true & that he hath not for himself or any person for him received or is to receive any Proffit or Advantage whatsoever by this Transaction — J Hanbury

Affirmed the 5th Day of May 1756 before me S. Bethell Mayor

At the same time appeared before me Barlow Trecothick of London Merchant & made Oath, that John Thomlinson having been for some time past confined by Sickness, he hath acted in the abovementioned Affair on his Behalf; that the said Account is just & true & that he hath not for himself or for the said John Thomlinson or any person for either of them directly or indirectly received or is to receive any proffit or Advantage whatsoever by this Transaction — Barlow Trecothick

Sworn the 5th day of May 1756 before me S. Bethell Mayor

———

[4-145] [*Pilot's Commission*, 1756.]

Province of
New Hampshire

Benning Wentworth Esqr Captain General & Commander
Seal in Chief of His Majestys Province of New Hampshire
To Mr Eliphalet Danniels

I do hereby Constitute & Appoint you the Said Elip^{t} Danniels a Pilote of the Schooner, Little Easter, Daniel Moses Master taken into His Majestys Service for transporting part of the forces raised

in this Government to Albany — that were raised for the Crown point Expedition ; Giveing & granting unto you the Said Eli : Danniels, all & Every perquisite & Emolument thereunto belonging for which this is your Warrant

Given at Portsm° at Arms June the first 1756

B Wentworth

[4-150]

[Petition of Ephraim Philbrick, dated November 30, 1756, who stated that he was in the service at Fort William and Mary and was wounded while blasting rocks. He received an allowance. — Ed.]

[4-154]

Acco[t] of Sundrys taken from John Shepherd by the Enemy —

1 Gun	10,,	–,,	–
1 Bever hat	6,,	5,,	–
1 p[r] Silver Buckles	3,,	15,,	–
2 Waistcoats	9,,	–,,	–
1 Sword	6,,	5,,	–
Sundry other Cloathing	4,,	–,,	–
Lawfull money	£39,,	5,,	–
Allowance for Billitting	5,,	15,,	
	45,,	–,,	–

Errors Excepted John Shepherd

Portsm° Jan[y] 26, 1757

[4-155] [*John Shepard, Taken Prisoner*, 1757.]

To His Excellency Benning Wentworth Esq[r] Governor The Hon[ble] his Majesty's Council & House of Representatives of the Province of New Hamp[r] in General Assembly convened Jan[y] 26[th] 1757 —

The Petition of John Shepherd Humbly Sheweth

That Your Petitioner in the Late Expedition, had the misfortune to be Captivated by the Enemy, who took from him his Gun & Cloaths as Particularly mention'd in an acco[t] Inclosed

He therefore Prays an Allowance for the Loss he has Sustain'd, as Likewise for his Billeting for the whole of the time he was under Pay

John Shepherd

Prov of New Hamps^{r} } Portsm^{o} Jany ye 27th 1757

Read in Council & ordered to be Sent Down

R Wibird Pro Secr^{y}

Province of New Hamps^{r} } In the House of Representatives Jany 27th 1757 —

Voted That there be Allowed to Capt John Shepperd Forty five Pounds, In full for this Petition & the Acco^{t} hereto Annexed to be paid him by the Committee of Warr for the Expedition to Crown point

Andrew Clarkson Clerk

Eodem Die In Council read & Concurr^{d}

R Wibird Pro Secr^{y}

Consented to

B Wentworth

[4–156] to Capt John Sheperd

you are to pourd in his magestys name to In List As maney abel boded men as shall volenterly in List in to his magestys Serves to Serve in north amereca During this present rebeluen if not Dis Charged Sooner the meen thus raisd is to bee forned in to Comenys Consisteng of one Capt one Lutenent one Insine three Sargents three Corprels and 1 Drume and the men thus raisd is to bee on the Same futing that his magestys ragler trupes and to bee Sub Get to the ruls and Disiplen of war and you are to obay all Such orders as you Shall from time to time receve from mee or any your Super ofecer for tim beeing and the Men is raisd and musterd before edward winslo Esq you are to have a Comishen acording to your Success and the ofesers under your Comand —

and this Shall bee to you and them a sufishent warent given at hed quarters this forth Day of november —

[This manuscript is endorsed, "John Shepards Orders This paper is said to have been found in the pocket of John Shepard" — Ed.]

[4–158]

[*Francis Tucker, Assistant Commissary of Subsistence.*]

To His Excellency Benning Wentworth Esqr Governour and Commander in Chief in and over His Maj^{tys} Province of New Hamp^{r} and to the Honourable the Council and House of Representatives —

The petition of Franc^{e} Tucker Humbly Sheweth that your petitioner Inlisted him Self as a Common Soldier on the Expedition against

Crownpoint and that your Petitioner on that Expedition did not only assist Mr George King Comisry for the New Hampshire Forces but did act as Comisry of the hospital allmost all the time until the Army was dismist and your Petitioners pay is No more than Eighteen pounds ℔ Month Prays that your Excellcy and Honours would take it under Consideration and Allow him what you in your great Wisdom Shall think fit

and your Petitioner Shall As in Duty bound Ever pray

Jany 27th 1757 — Francᵉ Tucker

Prov : of New Hampsr } Portsmo Jany ye 27th 1757

In Council red & Sent Down — R Wibird Pro Secy

[4–159] [*Joseph Avery, Fort Edward Soldier*, 1757.]

To His Excellency Benning Wentworth Esqr The Honble his Majesty's Council & House of Representatives in General Assembly convened Jany 28th 1757 —

The Petition of Joseph Avary Humbly Sheweth

That the son of your Petitioner Joseph Avary junr (a Soldier in the Late Expedition in Capt Ezekiel Worthens company) was on his return from Fort Edward taken sick at Glasgow —

That your Petitioner on the news Immediately Hired a horse & went & brought him home —

He Therefore Prays Such Allowance for his Expence & Trouble as you in your good Consideration Shall think proper to Grant him —

first To Travelling one hundred Mile & Expences Going & comming £5 – 00 – 0 New Tenar

Secondly he being Sick at home for ye Matter Of a Month which I leave to your honours And Discretion.

Joseph Avary

Prov of New Hampsr } Portsmo Feby y 4th 1757

In Council read & orderd to be Sent to The Honourl House

R Wibird Pro Secry

Province of New Hampsr } In the house of Representatives April 29th 1757 —

Voted That there be Allowed five pounds In full for this petition to be paid Out of money In the Treasury for the Crown Point Expedition — Andrew Clarkson Clerk

In Council Eom Die read & Concurrd

Theodr Atkinson Secry

Consented to — B Wentworth

[4–160] [*Mason Rendall, Taken Prisoner,* 1757.]

To His Excellency Benning Wentworth Esqr Governor & Commander in Chief In & Over his Majesty's Province of New Hampshire, The Honble his Majesty's Council & House of Representatives in General Assembly Convened Feb^{ry} 3^{d} 1757 —

The Humble Petition of Mason Rendell Shewes

That your petitioner was an Inlisted Soldier in the Last Years Expedition Against Crown Point under Capt John Shepherd In Col^{o} Nathaniel Meserve Esqr Regiment Who had the Misfortune to be pursued by the Enemy with Capt Shepherd, Who Striped himself as Naked as he was born Save his Shirt, in order the better to make his Escape by Running Your petitioner after being with the Enemy Some time, made his Escape, and Running Stove and broke his Gun & by the Assistance of a kind providence got Safe Back to the Army Again but in the Condition as is here Represented, by which means your petitioner is a Sufferer, the Acco^{t} of perticulars as ℔ Acco^{t} here Enclosed, Your petitioner would not have Troubled this Honble Court with this petition, Where he not Obliged by Necessity, Wherefore your Petitioner prays you'd take the same under your Wise Consideration, & Grant him Such Relief, as you in your Great Wisdom Shall See meet & your petitioner as In Duty Bound Shall Ever pray &c

Mason Rendel

Prov: of New Hamps^{r} } Portsm^{o} Feby ye 3^{d} 1757
In Council read & orderd to be Sent down

R Wibird Pro Secr^{y}

Province of New Hamps^{r} } In the House of Representatives Feby 4th 1757

Voted That there be Allowed Seven pounds In full for this Petition & Acco^{t} & paid to Mason Rendell Out of the money In the Treasury for the Crown point Expedition

Andrew Clarkson Clk

In Council Eodem Die read & Concurr^{d}

R Wibird J^{r} Secre^{y}

Consented to B Wentworth

[4–162] [*Benjamin Carpenter, Prisoner.*]

To His Excellency Benning Wentworth Esq Capt General Governour & Commander In Chief In & Over His Majesty's Province of New Hampshire, The Honble His Majesty's Council & House of Representatives in General Assembly Convened Feby 16th 1757 —

The Humble Petition of William Glidden, Shews That Your Petitioner had a Servant, Viz^{t} Benjamin Carpenter, Who was an Inlisted Soldier In Capt John Shepherds Comp^{a} In the Late Expedition to Crown point Who had the Misfortune to be Captivated & carried to Canada, at which place he died, By which providence Your petitioner, has Sufferd greatly, by the Loss of his Gun, & All his Cloaths, Who Went from home Very well Clothed, Acco^{t} of perticulars is Annexed, Your Petitioner prays youl take his Condition under Your wise Consideration, & Grant him such Releife as you In your great Wisdom Shall think proper & Your petitioner as In Duty Bound Shall Ever pray William gleden

Province of New Hamps^{r} } In the house of Representatives Feby 23^{d} 1757

Voted, that there be Allowed to William Gleden Eight Pounds In full for this petition & Acco^{t} hereto Annexed & paid Out of money In the Treasury for the Crown point Expedition

Andrew Clarkson Ck

In Council Eod^{m} Die read & Concurrd

Theod^{r} Atkinson Se^{ry}

Consented to B Wentworth

[*W. Pitt to Governor Wentworth.*]

[Belknap Papers, Vol. II., p. 278.]

Whitehall Feb : 4th 1757

Sir, The King, having nothing more at heart than the Preservation of His Good Subjects & Colonies of North America, has come to a Resolution of acting with the greatest Vigour in those Parts, the ensuing Campaign, and all necessary Preparations are making for sending a considerable Reinforcement of Troops, together with a strong Squadron of Ships, for that Purpose ; And in order to act Offensively against the French in Canada.

It is His Majesty's Pleasure, that You should forthwith call together Your Council & Assembly, and press them, in the Strongest manner,

to raise, with the utmost Expedition, a Number of Provincial Troops, at least equal to those raised the last Year, for the Service of the ensuing Campaign, over and above what they shall judge necessary for the immediate Defence of their own Province ; and that the Troops, so raised, do act in such Parts, as the Earl of Loudoun, or the Commander in Chief of His Majesty's Forces, for the time being, shall judge most conducive to the Service in general; — And the King doubts not, but that the several Provinces, truly sensible of His Paternal Care, in sending so large a Force for their Security, will exert their utmost Endeavour to second and strengthen such Offensive Operations, against the French, as the Earl of Loudoun, or the Commander in Chief, for the Time being, shall judge expedient ; and will not clogg the Enlistments of the Men, or the raising of the Money for their Pay &c[a] with such Limitations, as have been hitherto found to render their Service difficult & ineffectual — And as a further Encouragement I am to acquaint You, that the Raising of the Men, their Pay, Arms, & Cloathing, will be all that will be required on the Part of the several Provinces, Measures having been already taken for laying up Magazines of Stores & Provisions of all kinds, at the Expence of the Crown

I cannot too strongly recommend it to You, to use all Your Influence with Your Council & Assembly, for the punctual & immediate Execution of these His Majesty's Commands.

I am Sir, [Autograph, "W. Pitt," torn off.]

P S : Your Letter of Oct[r] 21[st] has been received.

Gov[r] of New Hampshire.

[*Pitt to Wentworth.*]

[Belknap Papers, Vol. II., p. 279.]

Whitehall Feb : 19[th] 1757.

Sir, Having in my Letter of the 4[th] Inst. informed you, that it was the King's Intention, to send a strong Squadron of Ships of War to North America, I am now to acquaint You, that His Majesty has been pleased to appoint Rear Admiral Holburne, to command the said Squadron, & it is the King's Pleasure, that, in Case any Naval Assistance shall be wanted for the Protection of Your Government, you should apply for the same to the said Rear Admiral, or to the Commander in Chief, for the time being, of His Majesty's Ships, in those Seas, who will send You such Assistance, as he may be able to

do, consistently with the Service, with which he is charged, by His Majesty's Instructions; and you will regularly communicate to the said Commander all such Intelligence, as shall come to Your Knowledge, concerning the Arrival of any Ships of War, or Vessels having Warlike Stores on Board, & likewise all such Advices, as may concern their Motions & Destinations, or may in any manner relate to that Part of His Majesty's Service, with which the Commanders of the King's Ships should be acquainted; And for the better Execution of the Orders, sent You in this Letter, you will be diligent in Employing proper Persons, and Vessels, not only to procure You the earliest Intelligence, but likewise to be dispatched, from time to time, to the said Commander of His Majesty's Ships, with such Accounts, as You shall have occasion to communicate to him.

It is also His Majesty's further Pleasure, that you should use all legal Methods, whenever the Commander in Chief of His Majesty's Ships shall apply to You, to raise such a Number of Seamen, from Time to Time, as shall be wanted to recruit the Ships in North America. I am, Sir, Your most obedient humble Servant,

W: Pitt

Govr of New Hampshire.

[4–166]

[Petition of John Tibbetts, dated February 17, 1757, soldier in the Crown Point expedition. — Ed.]

[4–167]

[Petition of Jonathan Sargent, dated February 19, 1757, soldier in the Crown Point expedition. — Ed.]

[4–169] [*Benjamin Clifford, Died in the Service.*]

To the Hon^{l} Committee of war . Kington March 1757

The Memorell of Willm Clifford Shueth that he had a Son in the Late Regiment in Capt Winslows Company whos name was Benj^{a} Clifford and that he Died thear & that his Gun was returned into the Store which Gun was Worth Twenty five Pounds and also a Kenduce box worth Twenty five Shillings one pair of Buckels when he went away one hanchife worth forty Shillings one hatchet worth Twenty

five Shillings which Things Your Memoreles hath not Ever had any alowence for and as the Gun was Returned into the Store with the othe Guns he Humbley hops You Hon^{r} will think he ought to be paied for them and make him that allowence as you in Your Wisdom Shall Think Just and Resenobel and in Your So Duing You will Grately oblige your Memoreles —

Gun	£25 : 0 –
Reduce box . . .	1 : 5 –
Buckels . . .	1 : 0 –
hanhife . . .	2 – 0 –
hatchet . . .	1 – 5 –
Old Tenor . .	30 10

William Clifford

Province of }
New Hamps^{r} } In the House of Representatives Feb^{ry} 23^{d}, 1758

Voted That this Acco^{t}, Amounting to Seven pounds Twelve shillings & Six pence, be Allowed & paid to Wm Clifford or his order Out of money In the Treasury for Defraying the Charge of the Late Expeditions

£7,, 12,, 6 Andrew Clarkson Clerk

In Council Eod^{m} Die read & Concurrd
Theodore Atkinson Se^{ry}

Consented to B Wentworth

[4–170] [*Material at the Fort*, 1757.]

A State of the fort & battery at New Castle

at Cumberland Battery
8 32^{lb} Carriages quite useless
1 24 Cariage good
3 4 Carriage good
the Platforms for these guns in a very bad State

the Battery Calld Prince of Wales
12 good guns the Carriages useless
3 New guns & Carriages good
10 New guns & Carriage good faceing up the river
17 on the ground or all one

The fort S West Corner
1 12^{lb} Pounder Platform rotten & the ambrazure tumbling Down

South Side 7 24lb Platform Carriages & guns in order
Circular battery 3 : 24lb & 2 4 } Platforms wants some mending
By the flag Staff 3 24lb in good order but this Part of Fort quite Weak
North Side 2 4lb in good order & 7 24lb the Carriages at portsmo
Some of the Platforms wants Plank and the Ambrazures & wall but weak
West Part by the gate 1 6lb
all the Wall going to the Well tumbling Down & that the gate must be made New —

We the Comitte appointed by Vote of Assembly the 17th Instant to Examine the State of his Majestys fort & batterys at New Castle find the Same much out of Repair more Especially the Platforms & Carriages which it Seems to us should be Immediatly repared & that the Honble House may be the better able to Judge on our opinion we have herewith Presented a State thereof all Which is humbly Submitted by Said Comitte

March 25 1757 Thos W Waldron } by order of the Comit :

[See Vol. VI., p. 585.— Ed.]

[*James Nevins Appointed Collector of Customs*, 1757.]

[Belknap Papers, Vol. II., p. 280.]

Sir Having by the Inclosed to Mr Lechmere Surveyor General of the Northern part of America acquainted Him that We have in Pursuance of a Warrant from the Treasury, Issued Our Deputation to Mr James Neven to be Collector and Surveyor of the Customs at Piscataway in New England in the room of Samuel Solly who is thereby Superceded, We desire the Favour of Your Excellency in Case of Mr Lechmere's Absence to give directions for Mr Neven to be admitted to the said Employ upon his Executing the Bond Enclosed in the Letter to the Survr Genl and taking the Oaths Enjoined by Law and grant him a Certificate thereof to be transmitted to Us. —

We are Sir Your Excellency's most Obedient Humble Servants

Custom House London
3d Mar : 1757, —
Ent'd J P.

B Hotham
Cs Mead
W S
P Pach

His Excellency The Governr of New England —

[*Lord Loudoun to Governor Wentworth.*]

[Belknap Papers, Vol. II., p. 281.]

New York April 1757.

Sir By Letter Just received from Number 4, of the 20th I am inform'd of the Indians making an Attack on that Fort, and that none of your People were then arrived, which I own surprized me very much, as Colonel Atkinson had promised me that 200 of them should March directly to take possession of the Place.

Delays in our Trade produce the most dreadfull Consequences, and it's impossible for any Officer to carry on the Service when he cannot depend on the Troops Obeying the Orders he gives, I can have no doubt of the Colonel having acquainted you with what was settled between us, and of Your having given the Orders, but should be glad to know from whence the disappointment has happen'd.

I know nothing yet of the 100 Men of Your Troops which I ordered to Long Island, The remainder of Your Troops will meet with Orders at Number 4, when they arrive there.

I am with great regard Sir Your most Obedient Humble Servant
Loudoun

I beg you will make my Compliments to Colonel Atkinson

To His Excellency Governor Wentworth —

[*Governor Wentworth to General Webb.*]

[Belknap Papers, Vol. II., p. 282.]

Portsmouth May 20th 1757

Sir, Pursuant to directions from His Excellʸ the Earl of Loudoun, I herewith transmitt you my Standing orders on the Collonells of the Respective regiments within my Government, To afford you such aid as His Majesties Service may from time to time require without any further Orders from me,

As the Milatory force is under my Direction, and are to Obey such orders as they Receive from me nevertheless they Cannot be Compelled to undertake a long March Without Blanketts Subsistance and other Necessary Stores which upon recieving Lord Loudouns letter I thought it for His Majesties Service to desire that the Assembly would make the necessary provision for. A Committee of both Houses was accordingly Chosen to report in What manner the provision was to be made But instead of makeing a proper grant for the Service it

appears to me that they are averse to send any Succours, even upon the greatest Emergency that you can have any dependance upon as you will Observe by the report of the Comsᵉʳ a Copy of which I herewith transmitt you, and Shall transmitt a duplicate of the Same to the Earl of Loudoun, I wish you a prosperous Campain and am Sʳ

Your most Obediᵗ humᵇˡᵉ Servᵗ B W

Majʳ General Webb

[*Governor Wentworth to Sir Charles Hardy.*]

[Belknap Papers, Vol. II., p. 282½.]

Portsmouth May 20th 1757 —

Sir, I had the Honour to receive both your Letters of the 30th of April and 2ᵈ of May, the Former incloseing the minute of Council Relative to the Embargo, which I shall endeavour to Conform to as near as the Circumstances of the Government will admit of, The latter transmitting Mʳ Secretarye Pitts packett, for the Care of which your Excellency will now be pleased To recieve my thanks —

I Congratulate you on the advancement His Majesty has been pleased to confer on you in the Royall Navy, wishing you all imaginable success in the present undertaking I am

Sir your Excellencys Most Obedient and Most humᵇˡᵉ Servant

B W

His Excellency Sir Charles Hardy

[*Earl of Holdernesse to Governor Wentworth.*]

[Belknap Papers, Vol. II., p. 283.]

Whitehall May 20th 1757

Sir, The inclosed Extract of a Letter from Vice Admiral Townshend, to Mʳ Clevland, with the Affidavits thereunto annexed, will inform you of the Pyratical Behavour of several Privateers, fitted out in North America, towards the Spaniards in the West Indies, particularly of the Peggy of New York, one Hadden Master, and of a Privateer from Halifax, commanded by one Snooke. — It was with the greatest Indignation, that His Majesty received this Account of Proceedings, on the Part of His Subjects, not only contrary to all Humanity, and Good Faith, but to the general Instructions given to

Privateers, and in direct Breach of the Additional One of the 5th of Octo last, with regard to Spanish Ships; And the King, being determined, that the most rigorous Justice shall be put in Execution against such notorious Acts of Violence, has directed the Governors of New York, and Nova Scotia, to commence Prosecutions against the Owners, Masters, and Securities of the Two Privateers abovementioned; And It is His Majesty's Pleasure, in case Either, or Both of them shall put into any Port within your Government, that You do cause them to be detained, giving immediate Notice to the Governor of New York of the Arrival & Detention of the Peggy, Hadden, Master; and of That from Halifax, commanded by Snooke, to Govr Lawrence, in order that They may send you such Directions thereupon, as They shall judge most expedient for the Execution of the King's Commands, signified to Them upon this Occasion.

Tho' the Additional Instruction abovementioned of the 5th of Octr last, has been already transmitted to you from the Council Office, I send you herewith some printed Copies thereof, and am to signify to you His Majesty's Pleasure, that you be particularly careful not only to deliver the same to all Persons, who shall hereafter take out Commissions for Privateers, but also that, whenever any Privateers come to the Ports in your Government You do make Enquiry, whether They have already received the said Instruction, and in case You have Reason to think They have not, you will cause a Copy thereof to be delivered to the Commanders of such Privateers, and, at the same time, acquaint them that the King is determined to require the most exact Obedience, thereto; and that the severest Prosecutions will be carried against Those, who shall, in any manner, act contrary to the same, and thereby endanger that Harmony, which His Majesty is so desirous to preserve with the Court of Spain.

I am, Sir, Your most obedient humble Servant

Holdernesse.

Govr of New Hampshire.

[*Captain George Christie. Fort William Henry Invested.*]

[Belknap Papers, Vol. II., p. 284.]

Albany August 5th 1757.

Sir I reffer you to my Letter yesterday by Express, informing you of Fort William Henry being invested, with a large Body of the Enemy to the Ammount of Eleven thousand Men Thirty Six Pieces of Cannon, and five Mortars or upwards —

I have this moment another Letter dated the 4th at 8 at Night, from Forte Edward; which says the firing of great Gun's and small Arms, Continued all that Day very Briskly, but ceased, at sun sett, as it had done the day before —

The General once more Commands me to Acquaint you, that if you do not order your Troops, in motion, this Country must be lost — I can add nothing farther But that I am with respect —

Sir Your most Obedt hble servt

G Christie A. D. Q. M G
& Captain in 48th Regt Comg in Albany.

To His Excellency Benning Wentworth Governor of New Hampshire

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[Ibid., p. 285.]

Albany 8th August 1757.

Sir I have this moment received an Express from General Webb, desiring I would again write to you to forward Troop's with all Expedition (which is now the 4th Time) for without an Immediate supply, the whole Country must be deserted, and given up to the Enemy

Nothing but an Immediate Retreat from Fort Edward (if you don't Put in the General's power to proceed to the relief of Fort William Henry, (which still makes a brave Defence) by Assisting them wth Numbers) can save them from being cut off, by the superior strength of the Enemy —

I Am sure Sir: I can use no Arguments with you so strong for relief; As this one Argument that Numbers, and Expedition will Save our Country which is now in the Utmost danger —

I write this by order of the General, and am with Respect

Your most Obedt and most hble Servt

G Christie A. D. Q. M. G.
& Captain in 48th Regt Comg in Albany

To His Excelly Bening Wentworth New Hampshire

[Ibid., p. 286.]

Albany August 10th 1757 —

Sir — I Wrote you 8th, to it, and to my Several Other Letters I reffer you — And am now sorry to tell you, that Fort William Henry, after an Obstinate and Gallant defence made by it, as well as the Troops in the Lines, were obliged at last, to give way to Numbers, & Capitulated yesterday Morning, about Seven O'Clock

The particulars I can't yet Inform you of, having received this Certain Acco[t] of the fact this moment — And think Proper to Acquaint you therewith, to Animate the Spirit of a Nation, which seems ripe for Destruction — to rise in their own Defence

You Sir will judge what a small body of Troops may do, Elevated with Success, Unanimous in their Councels, aud quick in their Execution if not timeously Prevented —

I can say no more, but there is a Necessity, for Men to be sent properly Provided with Arms, and Ammunition, with all Expedition — Otherwise, no Man can tell the Consequence —

General Webb is still at Fort Edward, with the Troops left there, and the Militia he is Collecting as fast as Possible — Let us save that Sir Otherwise New York itself may fall, and then you may judge the fate of the Continent —

Your most Ob[t] Serv[t]

G Christie A. D. Q. M. G. Cap: in 48[th] Reg[t]

[*Capture of Fort William Henry*, 1757.]

[Ibid., p. 287.]

Albany 11[th] August 1757 — Five in the Morning

Sir Yesterday I informed you that Fort William Henry had Capitulated the day before, in the Morning, and that it was in the hands of the Enemy — It is some Alleviation of our Misfortune, that Fort William Henry was Commanded by a Brave Officer, and a Man of great honour Lieu[t] Colonel Monroe of the 35[th] Regiment, and well seconded by another of great Experience, Lieu[t] Col[l] Young, by a Noble, and Gallant Defence they made Against such a vast body, of the French Regulars, and savages, so well provided with Artillery, and who used it with great success, without Intermission, Intitles them to Great Merit and does much honour to his Majestys Arms, by an honourable Capitulation they obtained, to march the whole Garrison away upon Parole, not to bear Arms, for Eighteen Months.

Such things we have been strangers to here but such was the Spirit of the Commander, and Such the Ardour of our Men — They were not Dismayed by Numbers, and rather prefer'd dieing to a Man, than become Prisoners, at the mercy of a Savage, and Cruel Enemy, who Endeavoured to shew their Disposition, upon the rear of the Conquered, Contrary to their faith, Contrary to every Principle of honour, they sent a large Body who way layed the Garrison (tho' the French sent a Guard but gave Orders for it to go but a few Miles with the

Garrison) and killed, and scalped a great many, Strped all our brave Officers, with many other marks, of Cruelty, sufficient to Rouse this Nation from its Lethargy, Otherwise the Enemys Conquests, and Cruelty, will not end there —

General Webb, has not yet been able to muster Six Thousand Men at Fort Edward, where he expects to be Attack'd every Minute — A Small Number to save a Country

Therefore Men Properly provided, with Arms & Ammunition is what I repeat to you once more, are wanted with the Greatest Expedition, to Prevent the Down fall of the British Government, upon this Continent

I am with respect Your most Obed^{t} hble serv^{t}
G Christie A. D. Q. M. G. Captain in the 48th Reg^{t} &c.

P. S I have just now learned from Authority that our Cannon And Mortars, most of them had bursted, and our Ammunition near Expended, before any Proposal was made for a Capitulation, by the Garrison ; Col^{l} Young is wound^{d} and Col^{l} Monro' Came in Strip'd at the head of his brave Garrison to Fort Edward, which is not yet Invested

To His Excellency Bening Wentworth Governor &c^{a} New Hampshire

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[*Captain Christie to Governor Wentworth.*]

[Ibid., p. 288.]

Albany 14th August 1757.

Sir Last Night I had an Express from General Webb with a Letter from Captn Bartman, his Aid De Camp in which is the following Paragraph, wrote by the General's Order, dated at Fort Edward 13th Curr^{t} Viz^{t}

"And desire you will send to Stop the New England, and other "Militia, from Proceeding untill we can be better able to judge, from "the Motions of the French, whether their Coming up will be "Necessary —

From the Above you will judge of the proper measures to be taken with the Militia, which can best fulfill the General's Intention — I have few other Particulars, with respect to the Garrison of Forte William Henry, more than I Communicated to you in my Letter the 11th Current, only I was Misinformed, with respect to Colonel Monro's coming in, for Neither he nor Colonel Young with a Number of their

Officers, are yet Come But we have hopes they are in the hands of the French, — Great numbers of the Garrison Came into Fort Edward, and many gone through the Woods towards New England — All confirm the Massacre Committed by the Indians, with the Connivance of the French the most Barberous crueltys Committed in their Sight, and Presence, Contrary, to a Solemn Treaty and Capitulation, exchanged between M : Montcalm and Colonel Monro' ; wherein Officers and Soldiers were to march out, with all their Baggage, Drum's beating : Colour's flying : and One Piece of Cannon (A Six Pounder, which Montcalm, made Colonel Young a Present of, for his Gallant behaviour in the Lines) Likewise in the Capitulation says, the Garrison to have, for their brave Defence, all the honours, which that of Minorca had —

Many Officers came in has Authantick Copys of it, which will be a lasting reproach, on the ffrench Nation, for the most barefaced, and Barberous breach of Publick faith — I am with Respect

Your most Obed^{t} hble serv^{t}

G Christie A. D. Q. M. G. Captain in 48th Reg^{t}

His Excellency Bening Wentworth

[4-173] [*Captain Ladd's Account.*]

August the 22 Day ye 1757

Ana Compt Exhibitd by ye Subscriber — for the Soport of Souldjer's under my Command while Detand at Londondary and for Sickness at Nombor four —

	£	s	d
Paid at mr Blayrs at Dery for vitlin Eleven Souldjers —	05	08	00
at mr Tools at Kingstown	00	16	00
at maj^{r} Balluees [Bellows] for my self and two men and 3 Horses Sent with an express from N° 4	03	17	00
Paid for the Soport of the Sick for Rum and Shugar —	06	07	00
at N° 4 Paid for menden mullien Davises Gun	02	00	00
Paid for the Hier of a hose from N° 4 to the Grat maddows for to Carry meddicens to the Sick —	02	00	00
September the 25 Day my Hose being Presed from me at N° 4 and sent of with an express to Porthmouth and Gon Seven week from me or til Novmbei the 12 day for His serves	30	00	00
the whol of my account is in old tenor	£50	8	00

Trueworthy Lad

Sence I have Returned Hom and have Recved my Hose those Passons that Keept my Hose while He was Gon from me in the Serves Have sent to me and have Charged me for Hose Keepen old tenor £22 = 18 = 0

Trueworthy Lad

Province of }
New Hamps^r } In the House of Representatives March 30th 1758

Voted That there be Allowed to Capt Trueworthy Lad five pounds In full for this Acco^t, & paid Out of money in the Treasury for the Last Years Expedition, Andrew Clarkson Clerk

In Council March 30th 1758 the within Vote read & Concurrd
Theodore Atkinson Sec^ry

Consented to B Wentworth

[*Lord Loudoun to Governor Wentworth.*]

[Belknap Papers, Vol. II., p. 289.]

New York September 7th 1757.

Sir As I find that after the Surrender of Fort William Henry, Major General Webb had on finding a very great deficience in the Number of the Provincial Troops under His Command, Assembled for the defence of those Provinces, Partly — from those rendred uncapable to Serve at Present from the Capitulation, and Likewise from desertion, made a demand from You of a Number of Men to Compleat Your Quota.

As I have now arrived here with a considerable Body of His Majesty's Forces, and as I am willing as far as it is Consistant with the safety of those Provinces, and the Good of the Service, to save every Expence Possible to the Provinces, I shall not now insist on Putting them to that Expence, but must Insist on your taking all Proper Measures to Prevent and discourage all further desertion from the Troops of Your Province, till the Time I find I can with safety dismiss them which I will do as early as Possible.

But to Enable me to Part with Your Troops the Earlier and to secure the Back Settlements, and to Annoy the Enemy, it will be absolutely necessary that I should be furnished with a number of Rangers, to Continue with me the whole Winter, to be disposed of for those Purposes, the necessity of this Measure will I dare say appear to You, and I have the Pleasure to acquaint You, that Lieutenant Governor Delancey has already agreed with me, to furnish for

the Province of New York, Two Companys of 100. men Each, and to take Care to have them Composed of Proper Persons, for the Nature of the Service, both Officers and Men by which Proportion Your Quota will Amount to Fifty Men.

I must beg that there may be no delay in Your giving your Orders on this Subject, & that In case there's not Proper People to be found among Your Troops for this Purpose, You will be so good as to give directions to have them from the Frontiers, where the Men are Inured to this sort of Service

I am with great Regard Sir Your most Obedient Humble Servant

Loudoun

P. S. I need not recommend to You, to see Your Men well provided with Good Warm Winter Cloathing

To His Excellency Benning Wentworth Esqr

[*Secretary Pitt to Governor Wentworth.*]

[Ibid., p. 290.]

Whitehall, Septr 16th 1757.

Sir, Monsr d'Abreu, Envoy Extry from His Catholick Majesty, having lately delivered divers Complaints of Violences & Depredations (particularly mentioned in the inclosed Paper) committed by His Majesty's Subjects in America, against those of Spain; I am to inform you, That The King seeing, with the highest Disapprobation, the daily Growth of such Scandalous Disorders, and having nothing more at Heart, than to stop the Progress of Practices, which, if not repressed, must involve His Majesty in Odious Disputes with all the Neutral Powers in Europe, is determined to exert the full Authority of the Law, in Vindication of the Justice of His Crown, & of the Honor of the British Nation; And, in this View I am hereby to signify to you His Majesty's Pleasure, that you do enforce with the utmost Vigor, the Observance of the additional Instruction of Octr the 5th to all Privateers, & employ uncommon Care & Diligence, effectually to prevent, &, if possible, to cut up, by the roots, all Excesses & Enormities, alledged to be committed in Violation of the just Freedom of Navigation of His Cath^{k} Majesty's Subjects; And, Whereas, with regard to all Spanish Vessels, bound to a Port of Spain in America, the Case of Contraband cannot exist, it being self-Evident, that no Effects whatever, carried by a Nation to It's own Ports, can, in any Case, fall under that Description; It is His Majesty's Pleasure that you do give the strictest Orders, that no Spanish Ship, under

those Circumstances, be disturbed or molested in their Navigation; and that in Case of Outrages, or Depredations, committed on the same, you do your utmost to discover all such Violators of Justice, and Disturbers of the Harmony subsisting between the Two Nations, and to bring the same to condign and exemplary Punishment.

I am Sir, Your most obedient humble Servant.

[A note by Dr. Bouton reads, "The signature was torn off by some person unknown." — Ed.]

[*Governor Wentworth to Lord Loudoun.*]

[Ibid., p. 291.]

Copy of my letter to Ld Loudoun 21^{t} Sep^{t}

Portsmouth Sep^{t} 21^{t} 1757

May it please Your Lordship

I had the Honour to receive your Lordships letter of the 7th of Instant under Governor Pownalls Cover, & shall use my utmost endeavours that a proper Company of rangers shall be raised, to Consist of Fiffty men, which is the proportion your Lordship has assigned this Government — but as the men fittest for that service are now Actually abroad, or rendered Incapable of bearing Arms by the Capitulation at Fort William Henry, it will be Impossible to raise Suitable men to be on that duty; until the Muster rolls are made up, & the Men paid off, which cannot well be done, until Coll^{o} Meserves return.

Upon adviseing with Some of His Majestys Council, & the leading men in the Assembly in whom I could Confide, on the Subject of your Lordships letter another difficulty arose in regard to raiseing the Company of rangers at this Juncture, that near one third part of Coll^{o} Meserves Regiment that were posted at Fort William Henry were either killed or Captivated, And it was their opinion that if I convened the assembly & proposed the Grant of fiffty men as rangers now there was a great danger of looseing the grant, which I thot would be Injurious to His Majestys Service therefore it was Advised to let the Matter rest for the present, until this Misfortune had become a little more familiar; to this may be added that at the requisition of Major General Webb I have raised two hundred & fiffty men, to be posted at N° 4 or Charlstown on Connecticut River, under the Command of Major Thomas Tash, to make Coll^{o} Meserves Regiment

Compleat, from the loss of that Number at Fort William Henry and these measures I am hopeing, will meet with your Lordships Approbation — I am my Lord

Your Lordships most obedient humble Servant

B Wentworth

The Right Honble John Earl of Loudoun

[*Secretary Pitt to Governor Wentworth.*]

[Ibid. p. 292.]

Whitehall Decr 30th 1757.

Sir, His Majesty having Nothing more at heart, than to repair the Losses, and Disappointments, of the last inactive & unhappy Campaign; and, by the most vigorous, and extensive Efforts, to avert, by the Blessing of God on His Arms, the Dangers impending in North America; And not doubting, that all His Faithfull, and Brave Subjects there, will chearfully cooperate with, & second, to the utmost, the large Expence, & extraordinary Succours, supplied by this Kingdom for their Preservation and Defence; And His Majesty considering, that the several Provinces, in particular, from Proximity, & Accessibility, of situation, more immediately obnoxious to the main Irruptions of the Enemy from Canada, are, of themselves, well able to furnish, at least, Twenty Thousand Men, to join a Body of The King's Forces, for invading Canada, by the Way of Crown Point, and carrying War into the Heart of the Enemy's Possessions, And His Majesty not judging it expedient to limit the Zeal, & Ardor of any of His Provinces, by making a Repartition of the Force, to be raised by Each respectively, for this most important Service; I am commanded to signify to You the King's Pleasure, that You do forthwith use your utmost Endeavours, & Influence, with the Council & Assembly of your Province, to induce Them to raise, with all possible Dispatch, as large a Body of Men, within your Government, as the Number of It's Inhabitants may allow; And, forming the Same into Regiments, as far as shall be found convenient, that you do direct them, to hold themselves in readiness, as early as may be, to march to the Rendezvous at Albany, or such other Place, as His Majesty's Commander in Chief in America, shall appoint, in order to proceed, from thence, in conjunction with a Body of The King's British Forces, and under the Supreme Command of His Majesty's said Commander in Chief in America, so as to be in a Situation to begin the Operations of the Campaign, by the 1st of May, if possible, or as soon after, as shall be

any way practicable, by attempting to make an Irruption into Canada, as above, by the Way of Crown Point, and, if found practicable, to attack either Montreal, or Quebec, or Both of the said Places, successively, with the whole Force in one Body; or, at one, & the same time, by a Division of the Troops into separate, and distinct Operations, according as His Majesty's said Commander in Chief shall, from his Knowledge of the Countries, through which the War is to be carried, & from emergent Circumstances not to be known here, judge any of the said Attempts to be practicable.

* * * * * * * * * * *

And the better to facilitate this important Service, The King is pleased to leave it to You, to issue Commissions to such Gentlemen of your Province, as you shall judge, from their Weight, and Credit with the People, & their Zeal for the Publick Service, may be best disposed, & enabled, to quicken, & effectuate, the speedy Levying of the greatest Number of Men; In the Disposition of which Commissions, I am persuaded, you will have nothing in view, but the Good of the King's Service, and a due Subordination of the whole, when joined, to His Majesty's Commander in Chief; And all Officers of the Provincial Forces, as high as Colonels inclusive, are to have Rank, according to their several respective Commissions, in like manner, as is already given, by His Majesty's Regulations, to the Captains of Provincial Troops in America.

The King is further pleased to furnish all the Men, so raised as above, with Arms, Ammunition, & Tents, as well as to order Provisions to be issued to the Same, by His Majesty's Commissaries, in the same Proportion, & Manner, as is done to the Rest of the King's Forces; — A sufficient Train of Artillery will also be provided, at His Majesty's expense for the Operations of the Campaign; And the Ship, that conveys this, carries Orders for timely providing at The King's Charge, with the utmost Diligence, and in an ample manner, Boats, & Vessells, necessary for the Transportation of the Army on this Expedition. — The Whole, therefore, that His Majesty expects and requires from the several Provinces, is, the Levying, Cloathing, and Pay, of the Men; And on these Heads also, that no Encouragement may be wanting to this great, and salutary Attempt, The King is farther most graciously pleased to permit me to acquaint you, that strong Recommendations will be made to Parliament, in their Session next Year, to grant a proper Compensation for such Expences as above, according as the active Vigour, and strenuous Efforts of the respective Provinces shall justly appear to merit.

Altho' several Thousand Stands of Arms will be forthwith sent from England, to be distributed to the Troops, now directed to be raised in the Northern and Southern Provinces ; Yet, as It is hoped, that the Numbers of Men, levyed in all parts of America, may greatly exceed the Quantity of Arms, that can at present be supplied from England ; It is His Majesty's Pleasure, that you do, with particular Diligence, immediately collect, and put into the best Condition, all the serviceable Arms, that can be found within your Government, in order that the same may be employ'd, as far as they will go, in this Exigency.

I am further to inform You, that similar Orders are sent, by this Conveyance, to Massachusetts Bay, Connecticut, Rhode Island, New York, and New Jersey ; — the Southern Governments are also directed to raise Men in the same manner, to be employ'd in such offensive Operations, as the Circumstances, and Situation of the Enemy's Posts, in those Parts, may point out ; which, it is hoped, will oblige them so to divide their Attention and Forces, as will render the several Attempts more easy & successful.

It is unnecessary to add any Thing to animate your Zeal, in the Execution of His Majesty's Orders on this great Occasion, where the Safety and Preservation of America, and of Your own Province in particular, are at Stake ; And The King doubts not, from your known Fidelity and Attachment, that you will employ Yourself, with the utmost Application, and Dispatch, in this urgent and dangerous Crisis.

Altho' the Knowledge of an Intention to invade Canada is apprehended, to be not only unattended with any Inconvenience, but necessary to be propagated in the Provinces, in order to give Success to the Levies ; yet, as Secrecy in all Enterprizes on particular Places is of the greatest Importance, The King is persuaded, that you will use all proper Discretion in communicating, by Name, any of the immediate Objects, before pointed out, farther than to such Persons, to whom it may be necessary, for the Good of the Service, confidentially to entrust the Same. I am Sir

Your most obedient Humble Servant

W : Pitt.

Governor of New Hampshire.

[*From a Document in French, Endorsed "Captures made by the English Privateers on the Subjects of His Catholic Majesty,* 1757." *Translated by Otis G. Hammond.*]

[Ibid., p. 293½.]

ABSTRACT OF SEVERAL INJURIES INFLICTED UPON SPANISH VESSELS AND SUBJECTS BY ENGLISH PRIVATEERS IN AMERICA.

The packet-boat Nuestra Senora del Pilar, commanded by Miguel Casanas, going from Vera Cruz to Guaira, was met and stopped by an English frigate mid-way between Monserrate and Guadaloupe, on the 27th of February. The English commander set the packet-boat at liberty and also gave it a passport for its security. But eight hours afterwards, it was met by an English privateer, who, having taken on board Captain Casanas, sent some English sailors on board the Spanish vessel. They entered the ship armed, plundered the coffers, baggage and effects which they found, and took possession of 900 piastres, two chains of gold, 50 piastres in current money, and even the buckles and wearing-apparell of the Spanish sailors, also holding a consultation to decide whether they should sink the vessel. The names of the privateer and its commander are not known, nor is the armament of the vessel.

The Governor of St. Domingo, having need of some provisions for the laborers of the new settlement of Semanà, permitted Francois del Valle to go with his vessel to Gaurico; and he, not being able to find provisions in that port, took some merchandize to exchange for supplies at Curazoa. As he was going to Curazoa, he was met by a privateer from New York, who took possession of the Spanish vessel, and maltreated the crew, saying that he did the same with every other vessel which came from a port belonging to the French, especially as he believed that already war had been declared with Spain, and he wished to take the first step. Finally he took with him the Spanish Captain and two of the crew, putting the others ashore in the Port of the Ysabella; they do not know the name of the privateer.

The packet-boat, Nuestra Senora del Pillar, of the Company of Barcelone, going to St. Domingo, was obliged, on the 28th of March, to enter the Bay of Montechristi. The same day, it was met by an English vessel, Captain Robert Funclan, who without heeding the remonstrances of the Spanish commander, opened the dispatches of the Court for the Governor of Puerto Rico; and after he had read them, he gave the vessel an escort which conducted it to the said Bay.

Two English privateers, which were crossing towards the Islands of Mono y la Mona, attacked a Spanish packet-boat, named Nuestra

Senora de las tres Fuentes, alias the Pastora, commanded by Captain Don Alonzo Diaz, who was going to Vera Cruz. They spoke to him in French, and obliged him to "lay to" his vessel, notwithstanding he told them that it was a dispatch-boat with the dispatches of the King. Nevertheless they sent some Englishmen on board the Spanish packet, whose crew were put ashore on the Isle de la Mona. They took on board, the Spanish Captain with his papers and dispatches, which they opened and read, destroying several patents and orders of the Court of Madrid. They also took all the coffers, baggage, and other effects belonging to the Spanish officers, and the most of the cargo. The privateers belonged at Antigua; the names of the commanders were Benjamin Rady and Charles White, and those of the proprietors, John Dearmen Nantes, and William Sechel. Our Governor of St. Domingo wrote to the Governor of Antigua, to reclaim the vessel, and to demand the punishment of the privateers; to which was returned a very satisfactory answer, the Governor offering to punish the guilty and sending back some of the property which had been stolen.

Another privateer captured and took to the Isle of St. Christopher, the Spanish vessel Sabana, commanded by Don Joseph de Inchaurraga, which was making a voyage from Guaira to St. Domingo, with a cargo of cocoa; and, although he set it at liberty again, he had the boldness to open the packets of letters of the Governor of Caracas.

Another privateer met a small Spanish vessel, which was sailing without cargo, from Puerto Rico to St. Domingo, stopped and kept charge of it for six days, maltreating and plundering the whole crew.

It is known also that another Spanish vessel, which was going from the Port of Coro, in the Province of Venezuela, to the Spanish Island, was taken by English privateers.

Pedro Mandaro Peregrin, a native of Havana, and Pedro del Mura of the Port of Principe, left Havana to carry lumber for the service of the King; they were encountered by a privateer from New York, whose men abused them and plundered all they could find.

The vessel Nuestra Senora de la Concepcion, commanded by Don Fermin de Sansinenea, going from Puerto Rico to Mayaquez, was met, on the 18th of December, by two English privateers of Santa Cruz, one named Joseph Cornell, whose men abused the captured crew and put them in irons while they plundered the vessel, and then set them at liberty; the Spanish Captain presented himself to the commander of the privateers, who for his answer, gave back a blow of his sword.

The Spanish packet, Nuestra Senora de la Candelaria, commanded by Don Alexandro Joseph Savinon, which was going from the Isle of

Teneriffe to Puerto Rico, was taken by an English privateer, near the Isle of St. Christopher, (in its voyage to Maracaibo) and conducted to Antigua. The commander of the privateer and a few of his friends made it appear that they meditated some evil design against the persons whom the said vessel was carrying to St. Domingo. After the captives had been taken to Antigua and presented to the Governor of that Island, the packets of letters were opened, and after they had been read, they were resealed with the seal of the said Governor, and the prisoners were then set at liberty, without any reparation, merely being told that the men who had captured them were robbers of the sea or pirates.

The vessel Nuestra Senora de los Dolores, commanded by Don Antoine Ugarte, who was going from the Port of Coro to Puerto Rico and St. Domingo, was taken by an English privateer, which abused them and compelled them to take fourteen French prisoners, which they carried to Puerto Rico.

Another vessel, Nuestra Senora de los Dolores Sta Barbara, Captain Don Matheo Moragas, going from Puerto Rico, was taken by three English privateers, two belonging in Antigua, and the third in St. Christopher; they put in chains the whole Spanish crew, and put the question to one sailor named Julian Ladron, to make him reveal where he had concealed the money, and where it was; they finished by compelling the sailors to sign a paper, certifying that they had been very well treated, and that not the least injury had been done them; the commander of one of the privateers was named John White.

[*Atkinson to Thomlinson*, 1758.]

[Belknap Papers, Vol. I., p. 171.]

Portsm^o^ Jan^ry^ 27th 1758 —

Sr Your Sons Letter to Dan^ll^ Peirce Esq of this town Dated the 22^d^ March 1756 is the Occasion of this & to let you know how, and what your Interest is in Masons right Thirteen Gentlemen (after Mr Mason had Docked the Entail) Purchased all the right He had to this Province Land reducing it into fifteen Equall Shares 2 of which Capt Mason reserved or had Deeds back of the Purchasers for, one of those Two rights he told me was Designed for you & we always took in that Light and was his real Intent but before we knew any thing of it he Sold one of the rights In Moity to 2 Gentlemen as Soon as we were Apprized of this we applyd to him to make good his Promise

he had then but one whol Share Left and would Part with but half of it which we Purchased of him this Deed A Copy off record you have Enclosed the original Left with M^r Jn Wentworth for you the Society in order to make up your Part Equal with theirs have (ever since they Pericevd Mason had not reserved you a whole Share) Laid out a Lott for you in every town so that in al our Late Grants & Divissions you have one Lot & one half — now in many of these Towns Improvements are bringing forward & we have Generaly tho^t it advantagious to give a Certain Quantity of our Own Lotts to Encourage Settlers as for Instance where I have 350 Acres in one Lot I make a Dedd of 50 or 60 acres to Porson he Imediatly Entring & Building a House &c^a & Putting a family in it which Inhances the Value of the residue Now in that Parte of your right that you Enjoy with Capt Mason No Person can Act for you in making Such Deeds and agreements Dan^ll Peirce Esq is Impowered by Capt Mason to act for him & if you give the Proper Power & Directions to any Person here to do also for you twil I believe be for your advantage not only where you are Concerned with Mason but when you are Sole you must remember that in all our Surveys we Lay out the 15 Shares & tho' Some Shares are Owned & kept by 4 or 5 Persons we make but one Share which the owners Subdivide as they think Proper thus Stands, the State of Masons right as far as we have made Grants or Quit-claims —

[Endorsed] Copy Letter to Capt Thomlinson & Capt Nevin Jan^ry 28th 1758 —

[*Atkinson to Thomlinson, concerning Fort William Henry Campaign.*]

[Ibid., p. 172.]

Portsm^o N H Jan^ry 28th 1758

Sr Tis so long Since I have rec^d any of your favours that this Seems Like commencing a Correspondence but I am Apprehensive as Mr Sherburne is Sick Mr Wibird & Wear not in Town you will by this Ship have nothing from the Com^tee appointed your Correspondents by this fleet I was unwilling (tho' I omitted my own concerns) you Should have room to Think your Self neglected by your friends here I (tho I have Little to write & Less than Little that is Agreable) could not contentedly Let the Ships Sail without a Line We See the Sun returning towards in its Longest Strides & the Time for Action in this Clime almost at the door but what the Campaigne of

the Ensueing Sumer is to be or where is quite a Secret with us I believe its Destination originates with you if Lord Loudoun knows, he only knows on this Side the water We here Expect he will make Some Demand for men from this Governm^{t} and do not Expect a Shorte Proportion as his Lordship is very Desireous of our Province Soldiers being men Generaly Enured to the Hardships attending Marches in the wilderness — & this Province has ever been & Still are willing to bear their full Parte according to their abilities but how to Pay the men the Ensueing Campaign is quite beyound the Kenn of my Sight the three Last Sumers Expence have so Inhanced our Publick Debt that I think is next to Impossible to be again concerned wee have besides the Sterling money we have Drawn on you for & what his Maj^{ty} Sent to New York already Expended upwards of £100–000 N Ten^{r} in Paper this method of Paper Currency will do no Longer & while other Governments have Silver we cant Expect it ever will Serve us only wee have now Proposed to Draw on you for £2000 Sterling to Pay of the remains of the Last Sumers Muster rolls & I dont Expect a man will Engage this Sumer without we Pay him in Silver — last Summer Lord Loudoun carryd with him to Halifax no other Provincials but what went from this Province besides the 3 Company of rangers & 100 Carpenters in his Majestys Pay whose officers & men are all of this Governm^{t} he Detached with Coll Meserve 100 men of the regiment raised & paid in this Prov^{e} this cost us a great Sum of Sterling money by Drafts from Halifax &c^{a} the rest of the regiment Except thirty then on a Scout were posted at fort Wm Henry & there in a most unheard of manner in Defiance of those Sacred things calld Articles of Capitulation either hurryed into Captivity or Striped naked these men the Prov^{e} Justly think ought in some measure to be made whole which has & will Enhance our Debt you will See by this what our 3 years Defensive Campaings has bro^{t} us to it has rendred Quite uncable of Assisting in our offencive Projection & without Such an attempt & that Attempt too nearer their heart than Crown Point We Stand a Very Precarious Chance I own I was always averse to the Crown Point Expeditions & to Spend 2 or 3 years of Such an Expence both of blood & Treasure as that has Cost I Still think a very Indifferent Aim if we had that Place twould cost full as much to keept as it does to Support & maintain jebralter the Pasage from St Johns near Mount Royal being Intirely by water & thro' a Lake Navagable for the Largest Ships while on the Contrary the Difficulty of Transporting Supplys thro^{u} Hudsons river are quite Insurmountable as there are in the Pass many & Long carrying Places & where the Passage is thro^{u} the river they are Often rapid & Shoal & Lyable to be Perpetually harrassed by the Enemy

Indians therefore I really am in hopes we Shall have no more Crown Point Expeditions — as to Canada I do not Pretend to know enough of the Navigation of that Gulf to judge of the Safety of men of Warrs Cruising thereabouts but believe there is no Uncomon danger in going where they might Intercept the french Store Ships & had that been don either Last Sumer or the Summer before you might have Purchased Crown Point with a bb^{ll} of Flower & tis Certain they are at Canada Exceeding Short of Provisions at this Time — Lord Loudoun with Whom I have had an opportunity of Conversing I believe to be a very Suitable Person to Execute the Trust & Comand appointed him he Certainly is active & Indefatigable does bussiness I think in an Easy Expeditious maner So far I think we have room for hopes that Some thing advantageous will be done for as every thing we Enjoy Seems now to be at Stake & we are all willing to Push on to a Decision but without money — & we have none — what can we do — I mentioned above our Projection for drawing on you for £2000 Sterling as we Shall want more than that Sum to Ballance the Last years Expence & if we Should not obtain the Gov^{rs} Consent to the affair we Shall be in the greatest Dilemma — the House Proposes by a Peremptory Vote to Enable the Comittee or the Treasurer to Draw on you for that Sum to Sell the Bills to the Possessors of our Paper Bills & with that to Pay off the Expence & by an other Vote to Lay a Tax for the Collecting So much Paper as the amount of those Bills to be this year Bro^{t} into the Treasury which Somm So Asesssed & Collected to be burnt to Sink So much of the Paper money heretofore Emitted for the Intended Expedition ags^{t} Canada All which is Agreable to our Acts when that money was Emitted that whatever Sum the King gave us Should Sink so much of that money — Since these Votes have been Calculated I have not had an oportunity to Converse with the Govr upon them but my fears Arise from a very great shiness he has to assent to any Vote &c^{a} that he thinks Clashes with the Act of Parliment made in relation to the Paper money & these fears I think carrys him into too rigid a Construction of that Act I have not the Act by me but remember the Governour is Prohibited assenting to any act or Vote that Shall have a Tendency to Deminish the Value of the Bills — But if not withstanding the Bills do depreciate it I think can never be deemd a breach of the Act to acknowledge it which is what the Legislature is obleidged every day to in Paying any off the Servants of the Governm^{t} as for Instance the first Crown Point Expedition in 1755 We Issued a Paper Currency 15/ N Ten^{r} or £3- old T which in the face of the Bills its Said Should be Equal to a Spanish Milld Dollar we then agreed to Pay a Private Soldier £13: 10: of s^{d} Bills or near thereabouts ℔ month that

Emission so depreciated that when the muster rolls came to be Settled the Pro^{v} made them up at £15 within about Six months — in the year 1756 the Second Crown Point Expedition We gain Struck off an other Emission from the Same Plates and being Sensable that the money had fallen in Value we then gave the men £18 ℔ month & So in the Last year of the Same Bills we gave them £25– besides other allowances & thus it is for every other Service now the Governour thinks he cannot consent to a Vote to Exchange these Bills without tis agreable to the Sum mentioned in the face of them & your own reflection one moment will Convince you that if we cannot now Sell our Sterling money at the Common Exchange between this & London we can never redeem these Bills & at the Same time you'l See the Injustice done the Province in this Scheme — I hope the Governour will mention this to the ministry & that they will give him an Instruction whereby he will without fear of Any resentment be Enabled to Concnt to ye Exchanging at least Some Necessary Proportion of them for our Sterling money the Bills at Some reasonable rate I know I should advance my Private fortune if this Scheme was to take Effect but I cant Contentedly gain that at the Injury of the Province — we are now come to a Crisis with respect to our Paper money as well as in almost every thing Else and this Critical Time I cant think you can do the Pro^{v} a greater p^{t} of Service than Endeavouring to Obtain Such an Instruction as will Enable the Govern^{r} to Consent to the Exchange of the Paper as the assembly has or Shall Propose in this Equitable way

I hope in this Long narrative I have not Interfered with any thing you may have of the Governour if I have what I have wrote will easily be erased — I would mention one thing more on an other head in which I am Sure the Govern^{r} and every body will joyn that is that you would Endeavour to have our Council filld up I Imagine his Excellency will by this opportunity recomend our Present Collector Capt Nevin as one who I believe will Generally be agreable but Pray what can be the reason that Mark Hunking Wentworth Esq does not fill one of the Vacancys I know twould be agreable not only to the Governour but to every well wisher in the Province & every thing bespeaks a Seat at that board for him if his Brother thro' any Punctilio of relationship has not recomended him in form to the board Yet I know he is Desireous of his being one — Coll Sherburne is now Dead & Mr Solley if his health admits will go in this fleet which reduces the Number to Seven that tis with Difficulty at Some times we can make a Quorum four of this Seven Living at a Distance from Portsm^{o} and as the Council is a Court of Appeals where it often happens that some of the Council are Concerned related or Sot in Judg-

ment in the Lower Courts cases are often Suspended and Continued for a long time for want of a Competent Court so that there really is a necessity for an additional Number of Councellors — The Acts that were recomended to your Care to get his Majtys Consent to the Appointmt of Jurors the Assembly are Dayly Enquireing after but have nothing from you on that head Tis Time Now to tell you that I am respectfully

Your Most Oblidged Humble Servt T A

Sent by Capt Nevin

[*Atkinson to Trecothick, Apthorp, and Thomlinson.*]

[Ibid., p. 173.]

Portsmo August 25 1758

Srs I recievd yours of the 28 Febry by Capt Darling Enclosing Invoyce & Bill Lading for Sundrys (with Charges thereon) amotg to £18: 12: 10 which your Accot has Credt for Except this Letter tis Long I have been without any of Your favours neither have I had any from Mr Jones who I imagine has paid Sundry Sums Since I have had any accot but Expect the Ballce in my favour I would therefore Desire you would keep in your hands, to the Value of One hundred Pounds Sterling a little more or Less & what in your hand in my favour more than that Sum I would have Lend out in Purchasing the Value in Some Stock or fund I imagine they are now Low & tis a good time to Purchase in this is upon a Supposition that Capt Nevin has not recievd on my Accot any considerable Sum from you — I hope by Smith I shall receive the Sundrys I Sent for by Capt Nevin &ca —

As I am now finishing all my old Accots Should be very Glad to have Capt Pikes accot in Some Sorte adjusted & those other things I have heretofore mentioned concerning the Canada Expedition accots with Mr Thomlinson — We have no News but what will be more Authentically handd you from the Proper officers than I can Pretend to & to which I beg Leave to refer you * & Am

Gentlemen with great respect

Your most Obedient Humble Servt

Theodore Atkinson

* We have in this Prov done our utmost the Expedition we are concernd in has hitherto been very unfortunate which is greatly agrevated by our having spent more than our all and can do no more our Treasure will not hold out to pay our Engagements We are still

willing but have not money nor Credit to Enter another Campaign — Pray Send me the Perticulars in the Enclosed mem° & let my Interest be fully Insured so as to make me whole in case of a Loss — I am Gents etc.
Mes^rs^ Trecothick Apthorp & Thomlinson ℔ Capt Darling

P. S. I have Ventured to Desire Capt Darling to Diliver you a Packquet Directed to James Nevin Esq marked under the Seal N° (1) if he should be stil in London Please to Deliver it to him in Case he Should be come off then Please to open it & Diliver those Papers that relate to the Custom House to his friend at that Board — and those that relate to the Hospital at Greenwhich to that Board and Pay there the Ballance of £6 : 17 : 4 : Sterling which Charge me with this will greatly oblidge Gentlemen

Your Humble Ser^t^ T A

As I Expect Capt Nevin is in London I dont write the Several offices which will I hope Excuse me in case he Should become off which Please to acquaint the Boards off Gentlemen — Nov : 14th 1758

T A

The above is a Copy of what I wrote ℔ Capt Darling Since which have recd the Sundrys You Ship'd me by Smith which were agreable Except the Worsted Hose Some of them much moth Eaten I must now Desire you would Send me the Perticulers in the Enclosed mem° haveing made Som Addition to what I wrote for 25 August Mr Frail now going home tells me there are frequent Opportunitys of Buying Carpets at Vendue much Cheaper than at a Warehouse & that he will Purchass me one if So he will advise you of it & in that case Please to pay him the Cost of one but dont miss Sending me one with the other things in the Spring I cant conclude with out mentioning the Loss of our much & Justly Esteemed friend Mr Apthorp all which I grieve — I am Gent^n^ Yours T A

Send ye Copy of what went by Darling in the Norwich & the Copy of that of the 14th November by Capt Grainger

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[4–175] [*Commissary King's Certificate.*]

Portsmouth 22^d^ Feby 1758 —

These Certify that the Effects which Serj^t^ Grow of the New Hampshire Regiment died Possessed of at the Flatts, consisting of a Gun Blanket and some Cloathing, are not now to be found

Nathl Grow Geo : King

[4-177] [*Ebenezer Copp's Deposition*, 1758.]

Province of } The Deposition of Eben[r] Copp of full age who
New Hampshire } Testifys and Says that In the year 1755 he Inlisted under Cap[tn] Joseph Eastman and he took an Inlistment from Said Eastman to Inlist men for him and that he Inlisted John Goodwin and others and that he never gave Said Goodwin any Money as an Inlisted man nor never knew nor heard that he took any from Cap[t] Eastman altho I was with Said Goodwin the most of the time he was In the Service which was about 6 weeks I also under Stood that Cap[tn] Eastman gave them leave to Return home from Rumford the deponent further Saith that he Received of S[d] Eastman Money To Bear their Expences from Chester to Rumford which is all the money I Paid for him Ebenezer Copp

Province of }
New Hampshire } Hampstead March 22 — 1758
then the above named Ebenez[r] Copp made Solemn Oath to the truth of the above Deposition
before — John Johnson Jus[t] Peace

Province of }
New Hampshire } Hampstead March 22 : 1758
Then John Goodwin Made Solemn Oath before me the Subscriber : that he neiver Receiv[d] any money of Cap[t] Joseph Eastman as an Inlisted Soldier in the year anno Dom 1755 : Either for bounty or advance pay as a Soldier
before John Johnson Jus[t] Peace

[4-178] [*Soldiers' Petition*, 1758.]

To His Excellency Benning Wentworth Esq[r] Captain General Governor & Commander In Chief In & Over His Majestys province of New Hampshire the Hon[ble] his Majestys Council & house of Representatives In General Assembly Convened March 22[d] 1758 —

The Humble Petition of Benjamin Glazier James Clement Reub[n] Stevens Partrick Tobin and Michael Johnson In Said province, Shews,

That Your petitioners were Enlisted Soldiers In this Governments Service Under y[e] Command of Cap[t] Money & Bayley in the Last Years Expedition, & had the Misfortune After y[e] Capitulation of Fort W[m] Henry to be made prisioners of Warr, & Carried to Canady, from thence was sent to Louisbourgh, from thence to Halifax, & So o Boston by which Misfortune, Your Petitioners Were greater Sufferers then their fellow Soldiers, Besides Our Loss of time for which

they humbly Acknowledge to have Rec[d], a Gratuity for In Common with the Rest, Wee Lost Sundry Valuable Cloaths &c An Account of all Which You have herewith presented. Wherefore Your Petitioners humbly beg that you Will take their Case under Consideration, And Grant them An Allowance therefor, or Such Other Relief As You In Your great Wisdom Shall think proper, And Your petitioners As In Duty Bound Shall Ever pray &c

Informa Pauperis — Benjamin × Glaizer's mark

Hercules Moony for Michael Johnson by his order

Patrick : Tobin

Jacob Bayley for Clement & Stevens

Province of New Hamps[r] } In the House of Representatives March 24[th] 1758 —

This petition & the Accounts therein mentioned being read

Voted That there be Allowed as a Gratuity for their Loss & Sufferings to Each of the petitioners Eighteen pounds fifteen Shillings, Except to James Clement, & he to Receive Twenty two pounds Twelve Shillings & Tenpence halfpenny, (the Whole being Ninety Seven pound Twelve Shillings & Tenpence half penny & paid Out of money in the Treasury for the Last Years Expedition

£97,, 12,, 10½ — Andrew Clarkson Clerk

In Council March 24[th] 1758 read & Concurrd

Theod[r] Atkinson Sec[ry]

Consented to — B Wentworth

[4–180]

[Memorandum of losses by Jonathan Barker at Fort William Henry. He was taken prisoner and kept two months. — Ed.]

[4–181]

[Power of attorney, Jacob Hancock, of Hampstead, to Jacob Bayley, dated March 29, 1758. — Ed.]

[4–182] [*Allowance to Soldiers.*]

Province of New Hamps[r] } In the House of Representatives April 20[th] 1758

Whereas Caleb Daulton, & Robert Kannady's Wages In Cap[t] Richard Emarys Roll was Stoped, by Vote On Said Roll As being

Deserters In former Expeditions, & it Appearing to the house that they were not Deserters, therefore — Voted That the Treasurer Pay the Said Daulton & Kannady or their Legal Representatives their Wages, as Carried off Against their Names In said Roll, Excepting five pounds five shillings to be Stoped Out of Michael Daultons Wages, it being for a former Bounty he Rec^{d}, & that he give the province Credit for the Same, Also Voted that the Treasurer Pay David Webster or His Legal Representative in Capt Anthony Tools Muster Roll two pounds twelve Shillings & Six pence, it being for So much Stoped Out of his Wages In said Roll, Which ought not to have been. The Votes On said Rolls to the Contarary Notwithstanding. —

Andrew Clarkson Clerk

In Council 21 : April 1758 read & Concurrd

Theodore Atkinson Se^{ry}

Consented to B Wentworth

[4–183] [*Soldiers' Petition*, 1758.]

To His Excellency Benning Wentworth Esqr Governour & Commander In Chief in & over His Majesty's Province of New Hampshire, the Honble His Majesty's Council, & House of Representatives, In General Assembly Convened Mar^{h} 31, 1758

The Petition of Jacob Bayley of Plastow In said Province, for & In behalf of himself as ℔ the Annexed Account Jacob Handcock, Josiah Heath and John Goodwen, All Soldiers In the Last Years Expedition, humbly Shews. —

That Jacob Hancock was an Enlisted Soldier in Capt Mooneys Company & after the Capitulation, was made prisoner & Carried to Cannady, from thence Sent to Louisbourgh, & from thence got home (by the way of Hellifax, & Boston,) In Jany Last — that Josiah Heath, was a Soldier in the Last year under my Command & had the misfortune, at the Siege of Fort William Henry to be Shot thro the foot, by wch Accident your petitioner has been a Very great Sufferer In Loss of time &c,

John Goodween was Likewise a Soldier under my Command In the Last years Expedition, Who behaved himself Well But So it is that his Wages are now Stoped by Vote on the Roll, As a Deserter In Captain Eastmans Company In the Year 1755 & your petitioner thinks he Can make it Appear to Your Honours that he was not a Deserter, Wherefore Your Petitioner humbly Prayes, their Cases may

be taken under Consideration, & that Your honours will Grant them Such Releif as you In your Great Wisdom Shall think proper & Your Petitioner shall Ever pray &c —

Jacob Bayley for himself and In Behalf of Jacob Hancock Josiah Heath & John Goodwin by Power of Atorney

Province of New Hamps[r] } In the House of Representatives May 6[th] 1758

Voted That there be Allowed to Jacob Hancock Eighteen pounds fifteen Shillings, to Josiah Heath Eighteen pounds fifteen Shillings to Cap[t] Jacob Bayley fourteen pounds Eleven Shillings & Six Pence — to be In full for all Allowances Whatsoever & paid to them, or their order's Out of money In the Treasury for the Last Years Expedition, And that the Treasurer pay John Goodwen his Wages as Carried off Against his Name In Cap[t] Jacob Bayleys Roll, the Vote on Said Roll Notwithstand[g] it Appearing that he was not a Deserter —

Andrew Clarkson Clerk

In Council Eod[m] Die read & Concurrd

Theodore Atkinson Sec[ry]

Consented to B Wentworth

[4–184]

[Memorandum of Benjamin Mooney's losses at Fort William Henry. — Ed.]

[4–185]

[Inventory of clothes taken from Captain Jacob Bayley after the capitulation of Fort William Henry. — Ed.]

[4–186]

[*Petition from Officers in Colonel Meserve's Regiment.*]

To His Excellency Benning Wentworth Esq[r] Captain General Governour & Commander In Chief In & Over His Majestys Province of New Hampshire the Hon[ble], His Majestys Council & House of Representatives In General Assembly Convend the 16[th] day of March 1758 —

The Humble Petition of John Spear John Parker Jonathan Young & Hercules Mooney All Officers in the Last Expedition in Coll[o]

Nathaniel Meserves Regiment, under the Command of his Excellency the Earl of Loudoun Shews, That Your petitioners had the honour of being In the Seige of Fort Wm Henry which was Obliged to Yeald to a Superiour force of the Enemy by Capitulation, & So March Out with the honours of war &c, All Which Rules, Agreements & orders were broken through, by which Infidellity Your petitioners Ware Very Great Sufferers more then In Common with their private fellow Soldiers, for which wee as In Common with them Acknowledge Your honours Kindness to us, but as the Reason & Nature of the Service Requires that all Officers be at more Expence in Cloaths &c then Any private Soldier So wee presume your honors will think that the Case was So with us, (& In fact was) Acco^t^ of all which Expences you have herewith presented from Each of us, & praying that you will take under Consideration the Case of your Misfortunate petitioners, & Grant them a Quantum Meruit, or Such Other Relief as you In your great Wisdom Shall think proper & your petitioners as In Duty Bound Shall Ever pray &c

John Spear
John Parker
Jonathan young
Hercules Mooney

Province of New Hamps^r^ } In the House of Representatives April 21th 1758 —

This petition being read

Voted That there be Allowed to Capt Hercules Mooney Sixty Seven pounds five Shillings, to John Spear Twenty Nine pounds five Shillings, to John Parker Fifty three pounds Ten Shillings, To Jonathan Young Twenty five pounds Ten Shillings, to be In full for this petition, & the Acco^ts^ here with presented & In full of all Losses, of Cloaths, Guns, &c Lost at fort Wm Henry, & In full for all Allowances to the Above Gentlemen Watsoever, they have^g^ had two months & a half pay Allowed Each of them before,

Andrew Clarkson Clerk

In Council Eod^m^ Die read & Concurrd

Theodore Atkinson Sec^ry^

Consented to B Wentworth

1757 An Acco^t^ of Sundrys Lost by Lieu^t^ Jno Spear at Fort Edwd —

Viz^t^

To 1 french Gun, Seamed Barrell - . . .	£12,,	10 –
1 Sword £10 : 0/. 1 Coat Superfine Cloth £20 .	30,,	0 –
1 Devonshire Kersey Ditto £7 : 10/ 1 p^r^ plush Breetches 75/.	11,,	5,,

1 p[r] Broad Cloath Breetches 50/ 4 Linnen Shirts @ 50/.	12,, 10,, –
3 p[r] hose @ 20/. 1 p[r] Indian ditto 30/ 1 p[r] Mogasins 15/.	5,, 5,, –
1 p[r] Shoes 25/. 1 Beaver Hatt 100/. 1 Handkf 30/.	7,, 15 –
1 green Broad Cloath Jacket £7,, 10/ 1 woorsted Cap 11/ 3	8,, 1,, 3
New Tenor	£87,, 6,, 3
2 y[ds] Swan Skin @ 20/	2,, ——
	89,, 6,, 3

Portsmouth March 16,, 1758 —
Errors Excepted ℔ John Spear

1757 An Account of Sundrys Lost by Ensign Jon[a] Young at Fort Edw[d] Viz[t]

To 1 Broad Cloath Coat & Jacket	£30,, ——
To 1 Coat & Jacket of Homespun	10,, ——
To 3 Shirts £8, One Hatt 85/ 2 p[r] Hose 40/ 1 Sword 100/	19,, 5,, –
2 p[r] Breetches @ 30/. 2 handkfs & my Blanket 90/–	7,, 10,
New Tenor	£66,, 15,, –

Portsmouth March 16, 1758
Errors Excepted ℔ Jonathan young

1757. An Acco[t] of Sundrys Lost by Adjutant Jn[o] Parker at Fort W[m] Henry

To One Gun £12,, 10/ 1 Coat £12,, 10/. 1 Jacket £7,, 10/.	£32,, 10 –
1 p[r] Cloath Breetches 90/ 1 p[r] plush D[o] 125/. 5 Shirts £11,, 10/. —	22,, 5 –
1 Hatt £7,10/, 4 p[r] Hose @ 20/. 1 p[r] Shoes 30/, 1 p[r] Indian hose 30/.	14,, 10 –
One Green Cap 15/	,, 15 –
1 Silver Lace & Button —	1,, 17
To a Regimental Suit w[ch] I give 32 Dollars — is — .	48,, ——
New Tenor	£119,, 17 –

Portsmouth March 16. 1758
Errors Excepted ℔ John Parker

Province of }
New Hamps^{r} } Portsmouth March 1758 —
Then John Spear, Jonathan Young & John Parker, Appeared before me One of his Majestys Justices of the peace, & made Solom Oath to the Truth, of their Several Acco^{ts} by them Subscribed
Before Joseph Smith

[4–187] [*Hercules Mooney's Losses at Fort William Henry.*]

1757 An account of Sundrys lost by Hercules Moony at Fort William Henry —

To 1 Coat Jacket and Breeches			£25,, 0,, –
1 home Spun Coat Jacket & Breeches			13,, 0,, –
1 holland Jacket			1,, 10,, –
3 Cotton Shirts			5,, ——
3 Linen Shirts			8,, ——
1 Silver mounted Sword			20,, ——
1 Gun £14 1 Beaver hatt £7/			21,, ——
1 Beaver hat half wore £2,, 10/ 1 Bed Sack £3/			5,, 10
1 Drum & Sticks £5 2 p^{r} Shoes £2,, 10/			7,, 10
4 p^{r} Stockins £2/ 1 Teapott 30^{s}/			3,, 10
1 Pewter Platter 20^{s}/ 1 wigg £3/			4,, 0 –
1 New Handkerchief 30/ 1 Silver neck buckle £1/			2,, 10 –
1 Dollar 30/ new Tenor Bills £6,, 5/			7,, 15
Cloth for Indian Stockins £2/ Blanket £2/			4,, ——
2 Wosted Caps £1/ —			1,, ——
New Tenor			£129,, 5,, 0

Portsmouth March 24th 1758
Errors Excepted ℔ Hercules Moony

Sworn to In the house April 21 1758
Att^{t} A Clarkson Clerk

[4–188]

[*Ensign John Moor's Losses at Fort William Henry.*]

the Loss I met with at fort W Hennery Last August by the Enemy one new Nub^{r} Cloath Coat worth 80£/ Superfine Cloath Jacot worth 40£/ and a pair of Deer Skin

Briches 30£/	150 – 0 – 0
2 pair of Shues £6/ ℔ pair one other Jackot £12 .	024 – –
one Good beaver Hat £30 one Gun worth 9 Dollors .	084 – 0 – 0
one wigg that Cost me before I marcht in ye Spring 3 Dolrs and one pesteren —	019 – 4 – 0
Seven Dollors taken out of my pocket by Indiens and £4/ old Tenr	046 – 0 – 0
Two Shirts fine Linning	024 – 0 – 0
	347 – 4 – 0

April ye 11th 1758 True accompt Erors Excepted

℔ John Moor

Provence of
New Hampshir } April ye 11th 1758 parsonaly appeared the above named John Moor and maid Solemn oath to the Truth of the above a compt and that he lost the above articles & thing by the Enimy at the brest work at fort wil Hennery Last august

before John Goffe Justice of Peace

Province of
New Hampsr } In the House of Representatives April 22d 1758 —

Voted That there be Allowed & paid to Ensign John Moor, or his order Thirty Six pounds fourteen Shillings In full for this Accot & all Allowances to him, (having had two Months & a half pay before) Out of money in the Treasury for the Last Years Expedition —

Andrew Clarkson Clerk

In Council Eodm Die read & Concurrd

Theodr Atkinson Secry

Consented to B Wentworth

[4–189] [*Impress Order*, 1758.]

Province of
New Hampr } To the Honble Meshech Weare Esq [Torn] Regimt of Militia in Said Province

Pursuant to An Act made & Past this 22 Day of April (an abstract of which you herewith will receive) it is my Express order that you without loss of Time Consult the most effective Measures for Impressing for his Majty Service to be Employd in an Expedition against the French at Canada under the Comand of his Excellency James Abercromby or any other Commander in Chieff his Majesty may Appoint Eighty five Effective able bodied men which are to be under

the Command of Such regimental officers as I Shall Appoint takeing care that each man is Provided with Sufficient Arms Powder horne & Shot bagg also with a Safe case for the Lock of his Gun and that if any of the Arms are Spoilt in the Service or Lost the Person to whom they belong Shall have an Allowance made them in Sterling money & if you finde it necessary to make a regimental Muster for this Service you Are to keep the muster on for Two Days & not to Impress the first Day thereby giving the men Time Voluntaryly to Enlist themselves and the Second Day you are to Compleat the Eighty five men herein ordred Including those that have Enlisted (under Persons that have my beating orders) and those that have Enlisted the first Day out of your regiment & make returne to me of Each man by the 28th Instant

Given at Portsmo at Arms April 22d 1758 —

B Wentworth

By his Excellencys Comd
Theodore Atkinson Secry

[4–190]

[Inventory of Lieutenant John Hazzen's losses after the capitulation of Fort William Henry. — Ed.]

[4–191]

[Inventory of Captain Richard Emery's losses after the capitulation of Fort William Henry. — Ed.]

[4–192]

[The same relative to Joseph Pearson. — Ed.]

[4–193] [*Clement March's Bill, Mustering Men, etc.*]

1757		
April 7th	The Province of New Hampr To Clemt March	Dr
	To two Days & my Expences to muster Philip Johnsons men & Swaring of twenty one —	2 : 10 : –
11th	To my Going to Stratham to muster Wm Moors men & Swaring them my Expences & hors —	1 : 10 : –

To one Day to Go to ye Governours to make a returne of the men — . . . . –: 15 : –
To one Day Sum years ago to Sell ye Excise –: 12 : –
To one Day Sum years ago to Get ye brick House Shingled for the Governour to live in –: 12 : –

£5 : 19 : –

Greenland May 24th 1758
Errors Excepted p^r^ Clem^t^ March

Province of New Hamps^r^ } In the House of Representatives May 27th 1758

Whereas the Like Acco^t^, Passed this House the 12th Day of Jany Last & Sent up by Saml Emerson Esqr wch Acco^t^ is mislaid, therefore Voted That if Said Acco^t^ be not paid, that it be Nul & Void, & that there be paid to Col^o^ Clement March Esqr five pounds Nineteen Shillings, Out of money In the Treasury for Contingences, but if the Acco^t^ pass'd ye 12th of Jany Last be paid, then the Vote On this Acco^t^ to be of no Effect Andrew Clarkson Clerk

In Council Eod^m^ Die read & Concurrd
Theodore Atkinson Sec^ry^

Consented to B Wentworth

[4–194]

[Inventory of losses sustained by William McDougall, of Bedford, after the surrender of Fort William Henry. — Ed.]

[4–196] [*Relative to Charles Row, who Died of Small-Pox.*]

To His Excellency Benning Wentworth Esqr Captain General and Governor in Chief in and over his Majesty's Province of New Hampshire in New England, The Honble his Majesty's Council and the Honble House of Representatives in General Court Assembled September A. D. 1758 —

The most Humble Petition of the Select Men of Tewksbury in the County of Middlesex in the Province of the Massachusetts Bay in New England Humbly Sheweth —

That where as Charles Row of the Province of New Hampshire above Said : a Soldier who was taken Sick with the Small Pox (on his return from Fort Wm Henry) in the Town of Tewksbury afore Said

on the Twenty Sixth Day of August A. D. 1757: and Departed this life on the Third Day of September following —

which has put the Said Town of Tewksbury to the Cost & Charge of Fifteen Pounds Twelve Shillings one Peny & one farthing Lawful money as will appear by our particular account we have Sent to your Excellency & Honors —

The Petitioners therefore Humbly pray your Excellency & Honors to alow our Said account which is Justly due to the Said Town of Tewksbury, which will greatly oblidge us your most Humble Petitioners as in duty bound Shall ever pray.

Dated at Tewksbury Sep^{t} ye 22nd 1758 —

Thos Marshall
Abraham Stickney
Jno Chapman
} The Select Men of Tewksbury

Province of New Hamps^{r} } In the House of Representatives Octob^{r} 5, 1758

Voted, That there be Allowed Fifty pounds In full for this Petition, & the Acco^{t} therein Referd to, & paid to the Select men of Tewksbury or their Order Out of money In the Treasury for the Late Expeditions

Andrew Clarkson Clk

In Council Eod^{m} Die read & Concurrd

Theodore Atkinson Se^{ry}

B Wentworth

[4–197 & 198]

[Accounts for care of Charles Row. — Ed.]

[4–199]

[Memorandum of Philip Johnson's loss at Fort William Henry. — Ed.]

[5–1] [*Expenses of the Funerals of Two Foreigners*, 1758.]

Darby Colman of Cork in Ireland Now Lays Dead att John Kings Innholder in Portsm^{o} New Hampshire And Bro't into Town By Capt Lampfear from Guinne July 28th 1758 — Sick and Lame

To 9 weeks 4 days Victualing & attendance from July 28th to octob^{r} 2^{d} following @ 8£ p^{r} week . . £76,, 12,, 0

To a pair Stockings 60/ p[d] washerwoman 63/ . . 6,, 3,, 0

Charges Buring Darby Colman viz[t] £82,, 15,, 0
for a Coffin £10
for a sheet & Cap . . . . 6,, 10,, –
Diging y[e] Grave & Bellman . . 8,, —,, –
Six pair Gloves for y[e] Bearers . 12,, —,, –
Liquor att y[e] funeral . . . 6,, —,, – 42,, 10,, 0

old Tenor £125,, 5,, 0
Portsm[o] octob[r] 19[th] 1758

Errors Excepted p[r] John his + mark King

George Bradley of Leverpool Now Lays Dead att John Kings Innholder in Portsmouth New Hampshire, And Bro't into this Town By Cap[t] Lampfear from Guinne July 28[th] 1758 — Sick & Lame —

To 11 weeks 4 days Victualing & attendance from July 28[th] 1758 to y[e] 16[th] of october following @ 8£ p[r] week £91,, 8,, 00
to p[d] washer woman washing shirts & stocking . . 3,, 3,, 0

For Buring George Bradley — viz[t] £94,, 11,, 0
for a Coffin . . . . . £10,, —
sheet & Cap . . . . . 6,, 10,, –
Diging Grave & Bellman . . 8,, —,, –
Six pair Gloves for y[e] Bearers . 12,, —,, –
Liquor att the funeral . . . 6,, —,, – 42,, 10,, 0

old Tenor £137,, 1
Portsmouth octob[r] 19[th] — 1758

Errors Excepted p[r] John his + mark King

[5–2] [*Lieutenant Wilder Willard.*]

Province of
New: Hampshire } D[r] to Moses Evans of Northfield Dec[r] 2[d] 1758

To Nursing Lieu[t] Wilder Willard in the Province[s] Service in the late Canada Expedition in Cap[t] Todd[s] Company & Col[o] John Harts Reg[t] who was Sick with me from the 6[th] Day of Nov[r] to the first Day

of Decr as he were Returning Home from s^{d} Expedition, 3 Weeks & 3 Days. —

vizt House: room, Subsistance, Beding, fire wood, Candles, Sugar, a Nurse, Subsisting the Nurse & for other Necessary Tendence, @ £3,, 10,, 0 Lawfull Money of the Massachusetts, &c

Moses Evans

[*Secretary Pitt to Governor Wentworth.*]

[Belknap Papers, Vol. II., p. 294.]

Whitehall 29th Decr 1758.

Sir, In transmitting to you the inclosed Duplicate of my Letter of the 9th Instant, I have the King's particular Commands to renew & enforce, in the strongest Manner, the Necessity of a punctual Compliance with the Orders there contained; And you will Accordingly urge, in the most expressive Terms, to the Council & Assembly of your Province, the Importance of their exerting Themselves in the present critical & decisive Moment, in which their own Interests & Security are so nearly concerned, that it would seem superfluous to add the further Motives of their Duty to the King, and of the Gratitude they owe to this Country, for the very great Expence, & Succours, supplied, for their immediate Defence, & for the future Safety of all their Rights & Possessions in America; And the Levying the Men, to be furnished by the several Provinces, without any Delay, & in such Time, that They may not fail to be at the Rendezvous, that shall be appointed for them, so as to be ready to commence the Operations by the first of May, is so essential, as well for preventing the extraordinary Efforts, which, it is supposed, the Enemy is preparing to make, to stop the further Progress of His Majesty's Arms in America, as for pushing, with Success, the ensuing Campaign, that it is the King's Pleasure, that you do employ the utmost Diligence, & every Means in your Power, to forward, & expedite this Service in the most effectual Manner, & to avoid any Disappointment happening from the Slowness of the Levies, or from the Men, who shall be raised, not proceeding, in due Time, to the Rendezvous. — With regard to the Expences, incurred by your Province, for the last Campaign, I am further to Acquaint You, that as soon as the Agents of the respective Provinces, duely authorized, shall produce the necessary Documents, the same will, without Delay, be recommended to Parliament, for a reasonable Compensation, agreable to the Gracious

Assurances, which The King was pleased to allow me to give, in my Letter of the 30th Decr last Year. I am, Sir,

Your most obedient humble Servant, W: Pitt.

Govr of New Hampshire.

[Ibid., p. 295.]

Whitehall Janry 26th 1759.

Sir, I am directed by Mr Secretary Pitt to send you the inclosed Gazette, that you may be informed of the Orders therein contained, with regard to the Mourning for Her Royal Highness the Princess Royal of England, and Princess Dowager of Orange. I am, Sir,

Your most obedient humble Servant Robt Wood.

Govr of New Hampshire.

[Ibid., p. 296.]

Whitehall: Febry 5th: 1759.

Sir. The King having been pleased to appoint Rear Admiral Saunders to be Commander in Chief of all His Majesty's Ships, employed or to be employed in North America, I am to signify to You the King's Pleasure, that you do transmit to Rear Admiral Saunders all Intelligence relative to his Department, in the same Manner, as you was directed to do, by my Letters of the 19th Feby & 30th Decr 1757, to the former Commanders in Chief of his Majesty's Ships; And it is also the King's pleasure, that you do, on any Application from Adml Saunders or the Commander in Chief of the King's Ships, use all legal methods to Supply him with such a Number of Sailors, & Workmen, from your province, as he shall at any time require for his Majesty's Service. I am, Sir,

Your most obedient humble Servant, W: Pitt.

Govr of New Hampshire.

[Ibid., p. 297.]

Whitehall: 10th: March: 1759.

Sir, I am directed by Mr Secretary Pitt to send you the inclosed Extraordinary Gazette, which will inform you of the Success of his

Majesty's Arms in the Reduction of the Town & Fort of Bassterre at Guadalupe, & there is Reason to hope, that we shall shortly have an Account of that Island being in the Possession of his Majesty's Forces. I am, Sir

Your most obedient humble Servant Robt Wood

Govr of New Hampshire.

[5-4] [*Petition from Pickering and Spear*, 1759.]

Province of New Hampshire } To His Excellency Benning Wentworth Esqr Capt General Governour and Commander in Chief in and Over his Majestys Province aforesaid and the Honble His Majestys Council and House of Representatives in General Assembly Convened, January, 19th 1759 —

John Pickerin of Portsmouth. and John Spear of Londonderry both in the Province of New Hampshire Gentlemen Humbly Shew, as follows, viz. Your Petitioners being officers in the Regiment Raised in this Province for the Reduction of Canada in the year 1758, of which Regiment John Hart Esqr was Collo[ll] John Goffe Esqr was Leiut Collo[ll] and John Titcomb Esqr was Majr and the Said John Pickerin was first Capt and the said John Spear. was first Leiut and according to Custom in Martial affairs they pray to Rise in Rank as Vacancys happen either by Death or dismission of any of their Superiour officer or officers. That the Leiut Coll[ell] of said Regiment was Discharged from said Regiment as being unable to Serve thro' bodyly Indisposition and they are informd that Majr Titcomb is made up in the Staff Roll of said Regement as Leut Collo and is to Receive pay as Such from the time that the Said Collo Goffe Came from said Regement. and Your Petitioners pray as the Said Majr is advanced they also may be advanced as to their pay. viz. The said John Pickerin being the first Capt in Said Regement. prays that from the time of the dismission or discharge of the Said Collo Goffe and the advance or Rise of the Said Majr Titcomb to Leut Collo he the Said Pickerin may be Allowd Majrs pay not only to the time that he was Tryd by a Court Martial (for Some pretended Misbehaviour. words and Actions done and Spoken in Great haste) and Cashsheird. but also for the time that the Said Regiment. was made up for afterwards. But if Your Excellency & Honours should be of Opinion that the Said Pickerin Ought not to be made up & allowd as before desired (which he hopes you will See proper to allow) He farther prays that he may be allowd pay as a Captn untill the time of making the Muster Roll, his being Cashshierd as aforesaid Notwithstanding.

and the Said John Spear also prays for himself. that on the premesses aforesaid as he was first Leiu^{t} in the Said Regement, that he may be advanced to be a Capt or to have Cap^{ts} pay allowd him from the time of the advancement of the Said Maj^{r} Titcomb untill the time of making up the pay for the officers of said Regement. But if Your Excellency and Hon^{rs} should not Grant the Same nor Suffer Capt Pickerin to have Such Wages as Capt as he has desired, (which he prays may be done.) the Said John Spear prays that he may be allowd Cap^{ts} pay from the time of the dismission of the Said Capt Pickerin untill the time of making the Muster Roll as aforesaid —

and Your Petitioners further propose to Your Excellency and honours that if the premisses aforesaid should be tho't not to be Equitable that you will act agreeable to the practice of Other Regements in the Mass^{a} Goverm^{t} and others, which we apprehend to be Right of the Like proceeding Relative to the Same matters. and was Accordingly practised by them in the Same Year. and make up the pay for three Field officers in the said Regiment and advance Each one according to his Rank in Rise — and Your Petitioners shall as in Duty bound. Ever Pray —

John Pickerin
John Spear

[5–7] [*Proclamation relative to Enlisting Men*, 1759.]

Province of New Hamp^{r}

By his Excellency Benning Wentworth Esq Captain General & Commander in Chieff in and over his Majtys Province of New Hampshire in New England —

A Proclamation —

His Maj^{ty} having nothing more at Heart than to Improve the great Advantages gaind the last Year as well as to repair the Disapointment at Ticonderoga is Determined by the most vigorous & extensive Efforts with the Blessing of God on his Arms to avert the Danger that may threaten North America from any future Irruptions of the French, at the Same Time relying on his faithfull Subjects in North America to co-operate with & Second to the utmost of their ability the Large Expensive & extraordinary Succours Supplyd by Our Mother Country for our Preservation & Defence

And whereas the Legislature of this Government has resolved to Enlist & Pay one Thousand men to be Employd in this Undertaking

I Do hereby Promise & Engage that all Such Able bodyed Effective men as Shall Inlist under Persons that receive beating orders from me

Shall be Intituled to the following Pay gratuitys and rewards (Viz) Each non Commission officer & Private Soldier Shall recieve at the Time of his Enlistment Twenty two Shillings & Six pence Sterling as a Bounty and after he Passes Muster & before he marches a further Bounty of thirty Seven Shillings & Six pence to Purchass Proper Cloaths and also a good Blanket & that Each Private Shall also receive Thirty Shillings Sterling ℔ month for the Time he shall be in the Service —

and further that all Such Effective men who Served in the Pay of this Province the Last Campaign & Shall Voluntarily Enlist in the Ensueing, Shall receive fifty four Shillings Sterling as half Pay for four months —

That they Shall not be Detaind in the Service longer than nine months but Shall be Sooner Discharged if the Intended Expedition Shall be Sooner over

And that Each man Shall receive one months Pay advance And that no Soldier that Shall Enlist & Proceed on Said Service Shall be Liable to have his Body Arrested Stayd or Imprisoned dureing the Continuence of the S^{d} Service upon mean Process or Execution for any less Sum than Ten Pounds Sterling due to one Plaintiff Those that find themselves Arms

and I hereby require all officers Civil & Military to use their utmost Influence in Encouraging & Promoting this Service So Essential to the Liberty & being of this Country —

Given at the Council Chamber in Portsm^{o} the 15th Day of March 1759 in the 32^{d} Year of the reign of Our Soverign Lord George the Second by the Grace of God of Great Britain France & Ireland King Defender of the Faith &c^{a} B Wentworth

By his Excellencys Comand Theodore Atkinson Sec^{ry}

God Save the King —

[5–8] [*Enlisting Orders to Colonel Weare*, 1759.]

Province of New Hampshire } Benning Wentworth Esqr Captain General and Commander in Chief of His Majesties Province of New Hampshire —

To the Honble Meshech Weare Esqr —

You are hereby directed to enlist Or draft, out of the regiment under your Command, Eighty-five effective men, to be Employed under the officers I shall appoint in an Expedition against Canada, of which Expedition His Excellency Jeffrey Amherst Esqr is Commander in Chief —

And the more Effectually to Expedite the above Servies, you are hereby allso directed to Order a muster of the regiment under your Command to begin on Monday the Sixteenth of April Next at Such Places, as you shall Judge least Burthensome to the whole, and to follow the methods Contained In the Acts you have rec^{d} to compleat the Quota of men assigned your Regiment, for the above Service, makeing your return to me, by the 18th day of April Next —

Given at Portsmouth at Arms the 27th day of March 1759 —

B Wentworth

[5–9]

[Petition of Joseph Estabrooks, soldier. Dismissed Jan. 29, 1760.]

[5–10]

[Petition of William Watson, soldier. Dismissed Jan. 29, 1760.]

[5–11] [*Lord Loudoun to General Pepperell.*]

London May 17th 1759

Sir I had the honour of your Letter of Decr 29th 1758 relating to the 300 Suits of Cloathing delivered to Colonel Webbe's Regiment at New York for which you demand payment.

I lay'd your Letter before Martial Lord Ligoneer and Lord Viscount Barrington Secretary at War.

and I am desired by them to inform you that the Government having given you the usual Assignment of Off reckonings to pay for your Cloathing, it was absolutely at their Disposal for the Use of any of his Majesties Forces. I am Sir

Your obedient humble Servant Loudoun

To Lieutenant General Sir William Pepperell

[Ibid.]

London 7th July 1759

Sir I have the Honour to acquaint you that after near Two years attendance on Lord Loudoun in America, & on the Secretary at War in London, that your Late Regiments Affairs seem now to be nearly

Closed; Notwithstanding I did immediately on my Arrival in England, give in my Acc^{ts} as paymas^{r} & closely attended Lord Barrington, yet no Step has ben taken to Clear us till a few days ago; when I received a Card from Mr Caleraft to call on him & assist in making out A Noneffective Acc^{t}, which I immediately did, & signed it three days ago: in which Acc^{t} I have inserted the several Charges made by you for Raising the Regim^{t}, which were not Credited in Capt Descury the late Paymas^{rs} Acc^{ts}, & I hope in a few days more to be able to give you the agreable acc^{t} of its being passed, & the Kings Warrant granted to Clear us. —

I hope you do not impute my not writing sooner to you, to any want of Respect, but really the Truth is that I had nothing to Communicate to you worth puting you to any Expence in Postage. I understand that no Levey money will be granted for raising the Regim^{t} but the Non Effective money will be applyed to that use, so that I am afraid there will be no division of Non Effective money to the Captains. I am with my best Respects Sir Your Obliged and

Most Obedient humble Servant Cha Craven

Sir Wm Pepperrell Barr^{t}

[5–13]

[*Names of Men who Served as Substitutes for Quakers*, 1759.]

Province of Newhamp^{r} } These May Certifie that the following List Contains the Names of the Persons who ware hired to Go in the Expedition against Canada in april 1759 in the Room and Stead of the People Called Quakers belonging to the fourth Regiment of foot in Said Province, and the Names of the Said Quakers, and the Names of the Parrishes to which they belong, and the Sum Stirling which was Given to Each Person So hired

viz Dudley Becket in the Room of Jacob Smith Junr of Brintwood 9 – 4 – 0

Jonathan Edgerly in Stead of Joshua Bean of ditto — 9 – 4 – 0

Jeremiah Gilman in Stead of James Bean Junr of ditto – 9 – 4 – 0

david dollof in Stead of Jeremiah Glidden of ditto 8 – 16 – 0

Moses Gilman in Stead of Daniel West of ditto 8 – 16 – 0

45 – 4 – 0

Benjamin Cass in Stead of Jeremiah Dow of Eppin – 9 – 12 – 0

John Dow in Stead of John Martin of ditto – 9 – 12 – 0

19 – 4 – 0

It was adjudged the proper turn of the above Named Jacob Smith Junr, Joshua Bean, James Bean Junr, Jeremiah Glidden, Daniel West, Jeremiah Dow, and John Martin, to Go in the above mentioned Expedition and they Refusing, and being of the People Called Quakers, the Several Persons Named in the Same line with Each of them, ware hired, and Proceeded, in their Stead, for the Sum Stirling Set against Each of their Names Sam^{ll} Gilman Coll^{o}

[5–14] [*Colonel Schuyler's Account. Ransoms.*]

			Dr Livres
1758	The Province of New Hampshire		
Octob^{r} 30	To Cash Paid the Ransom of Lydia Stibbings of N° 4		400
Novr 1st	To D^{o} p^{d} ℔ D^{o} of Mrs Moore		400
	To D^{o} p^{d} ℔ D^{o} of Mrs Jem : How . .	600	
	To D^{o} ℔ D^{o} of her Son William . .	800	2770
	To D^{o} ℔ D^{o} of her Sons Squire & Caleb	1200	
	To d^{o} paid sundry Express ℔ D^{o} . .	170	
	To D^{o} paid an Express sent to Mrs Grout . .		70
	@ 107 St^{g} Liv^{s}		3640
	is St^{g}		159,, 5,, –
To Cash advanced Mrs Eunice Gaffield last Year In Canada — 56 Dollars @ 4/8 ℔ Doll St^{g}			13,, 1,, 4
	Sterl^{g} —		£172,, 6,, 4

Province of
New Hamps^{r} } In the House of Representatives Octob^{r} 10th 1759

Voted That this Acco^{t} of Col^{o} Peter Schuyler Esqr Amounting to One hundred & Seventy two pounds Six Shillings & four pence Sterling be Allowed & paid by Sterling Bills to be Drawn by the Committee heretofore Imployed to Draw Sterl^{g} Bills, payable to Peter Schuyler Esqr, & Remitted to John Schuyler Esqr at Second River In East New Jersey Agreeable to his Letter to his Excell^{y} dated Crown Point Sepr 17th 1759 & Also that on the Receipt of said Bill that any Obligations Gave by Any or all the persons named In Said Acco^{t}, be made Over Payable to the Treasurer of Said province for the time being for Acco^{t} of Said province Andrew Clarkson Clerk

In Council Eod^{m} Die read & Concurrd
Theodore Atkinson Se^{ry}

Consented to B Wentworth

[5–15] [*King's Instructions concerning Courts*, 1758.]

George R —

Seal

Additional Instruction to Our Trusty & well Beloved Benning Wentworth Esqr, Our Governor & Commander in Chief In & Over Our Province of New Hampshire In New England In America. Given at Our Court at St James's the 22^{d} Day of December 1758 in the Thirty Second Year of Our Reign.

Whereas it hath been Represented unto us, that the General Assembly of Our Province of New Hampshire having Refused to Comply with the Earnest Recommendation of you Our Governor, that they would make provision for the payment of Competent Salaries to the Chief Justice & other Justices of Our Superior Court or Court of Kings Bench within Our Said province; the Said Justies had thereupon resigned their Commissions, & no Other person being Willing to Accept the Like Commissions, Our Said Court must thereupon have Ceased, & Our Governm^{t}, have fallen into a State of the Greatest Confusion, had not you our Governor, for the prevention of So great An Evil, Agreed to Allow the Chief Justice of the Said Court the Yearly Sum of Forty pounds Sterl^{g}, Out of your own Salary, untill our Royall Pleasure Should be known thereupon, (In which Instance of your Zeal for our Service and for the Welfare of our said province, We are Graciously Pleased hereby to Signify to you Our Royal Approbation of your Conduct.) And Whereas it is essentially Necessary to the Regular & Impartial Administration of Justice, (which is an Object of the highest Importance to the Peace, Security & prosperity of Our Loving Subjects,) that the Judges In our Several Courts should have Appointments adequate to the Dignity, Fatigue & Expence of their Stations, It is therefore Our Will and pleasure, & you are hereby Authorized & Directed earnestly to recommend it, in Our Name, to the General Assembly of our said Province, that they do forthwith make provision for Competent Salaries to the Chief Justice & Justices of our Superior Court or Court of Kings Bench in Our s^{d} province: & further you are to Acquaint the s^{d} Assembly, that We do not only Expect from them a ready Complyance in providing Such Salaries in future, but Also that they take a Speedy & Effectual Care for the Repayment to you our Governour Of all Such Sums as Shall Appear to have been paid by you Out of Your own Appointments as a Salary to the Said Chief Justice,

in Consequence of their Refusal to Comply with your Request to them In that behalf. G R

Vera Copy from the Original taken Portsm° Octob^r 10, 1759 —
Att^t Andrew Clarkson Clerk to the
House of Representatives —

[See Vol. VI., p. 721. — Ed.]

[*General Amherst to Governor Wentworth*, 1759.]

Camp at Crown Point 13th Augt 1759 —

Sir Since I have been in possession of this Ground One of my particular Attentions has been, to Improve the Advantages it gives me, of most Effectually Covering & Securing this Country, & Opening Such Communications as will Render the Access between the provinces & the Army easy, Safe, & Short; Accordingly I Sent to explore the Otter River, in order to Erect such Posts on Each Side of it as will Obstruct all Scalping parties from going up that River to Annoy any of his Majesty's Subjects, that may now Chuse to Come & Settle between N° 4 & that; but I Cannot Say that that River by any means Answers the Idea I had Conceived of it from discription & Report, Wherefore I Shall defer the work I Intended, untill I have had the Whole Survey'd, which I have order'd to be done.

Mean while I am to Inform you, as I do by this Conveyance the Govr of the Massachusetts Bay, that When these Posts are Established upon Otter River I Shall Expect, that Each of your provinces, instead of Garrisoning N° 4. Fort Dummer, Canoe meadow, Great Meadow, &c, with two Companies of 100 men Each, & Officers In proportion, You do Each of you Send a Like Company of 100 Men & Officers In proportion to the Posts upon Otter River, whereby their being thus Collected, they will be of Infinite greater Security to the Whole Country than by being dispersed as they were at the Above mentioned Places, which, from my being here, are Already Out of all kind of Danger, & therefore I have ordered those Companies to Joyn their Respective Regiments,

And for the Easier Communication of Your two provinces with this Post, I have Already for these Some Days past had a Number of men in the Woods, that Are Employed In Cutting a Road between this & N° 4, which will be finished before You Receive this; to Compleat it quite up to Pennycook, which must be Still of Greater Advantage to Your province, Whom I doubt not but will Very Gladly

Improve so favourable & promising An Oppertunity, the Rangers Who Are busy on the Road to N° 4. are Ordered to Mark the Trees In the proper direction, So that your people will have only to Cutt them, to make the Communication open between Pennycook & N° 4. Which I Would have You to Recommend to them to Set about without delay — I am, With great Regard Sir

Your most Obed^{t} hble Servt Jeff : Amherst

P S. Enclosed I Send you a Copy of the Cartel Concluded between us & France, which I Received Yesterday from the War Office —

J : A

His Excellency Govr Wentworth

Vera Copy from the Original Att^{t} Andrew Clarkson
Clerk of the House of Representatives —

[Ibid.]

Camp at Crown Point, 30th Augt 1759 —

Sir As the Assembly of your province has made provision for their Troops, only to the 1st of Nov^{r}, After which I am Sensible, it is not Very practicable to Carry on Any Operation's in these Northern parts of America, Yet as from the Events of the Campaign, it may happen those Troops cant be discharged soon Enough to Reach their Respective habitations by that time, I Could therefore wish you would Move your Assembly to make a further provision for them for the Whole of that Month, by the latter end of which, I Should hope they may all get home, as I do not propose to keep any of the Provincial Troops After the Operations of the Campaign, & the Necessary Works for Ensuring its Conquests are Compleated ; and that I do not Intend to keep any of them for Garrison Duty (Except a Company of One hundred Men of the New Hamps^{r} Troops, & a Like Company of the Mass^{a} Forces, in liew of those you & they had at Fort Dummer &c & N° 4 which as I mentioned to you in my letter of the 13th Aug^{t}, I Shall detain to Garrison the Posts on the Otter River) of which you may Assure the Assembly from me, & therefore I doubt not, but they will, both for the Good of the Service, & the Encouragement of their men, Readily & Chearfully Concur in making this Necessary further provision. I am with great Regard Sir

Your Most Obed^{t} hble Servt Jeff : Amherst

His Excellency Govr Wentworth

Vera Copy from the Original Att^{t} Andrew Clarkson
Clerk to the house of Representatives

[*Atkinson to Trecothick & Thomlinson*, 1759.]

[Belknap Papers, Vol. I., p. 173.]

Portsm° October the 27th 1759

Sr In mine of the 25th August 1758 I Desired you would invest what money you then had of mine in your hands, in some of the Funds that I might have interest for it as I imagined the Stocks were pritty Low and a good Time to Purchass in to this I have not been favourd with your answer I hope notwithstanding tis done pray what Sum soever I may have in your hands Let be Laid out in that manner keeping £100 a Little more or Less in your Custody for my Acco^{t} I want much to have Capt Pikes Acco^{t} somehow Settled & those other affairs of the Canada Expedition Perticularly what the Ballance of Lt Coll John Wentworths & Insign Hugh Hall Wentworths Ballances Are — My Son has wrote Mr Inman for a Suit of Cloathes Pray Pay him for them when he Calls upon you — Inclosed is a Letter to Mr Jones with my Diary to Micaelmass Last Pray forward it — I now inclose you a memorand which Pray Ship me ℔ the first in the Spring Insured to Piscataqua The Takeing of Quebeck gives New Spirits tis a Glorious Conquest Gen^{ll} Wolfe is much & Deservedly Lamented if the Weather Should force Gen^{ll} Amherst into Winter Quarters too soon to accomplish the reduction of the whole Contry it must be an Easey Conquest the next Year tho^{u} I am not without hopes of its being happly finished this fall the Gen^{ll} is Parted Some time from Crown Point, & with his Naval force has Demolished Two of the four French Vells of fore that were in that Lake & has taken a third the one remaining will not tis tho^{t} Attempt Any Opposition to the Gen^{ll} Progress a Little Time will inform us of the Consequence of his Attempt I am Gentlemen

Your most Obedient Humble S^{t} T A

To Messrs Trecothick Apthorp & Thomlinson

Mr Inman will call on & Deliver you with my Sons Cloath a Suit for my Self which Pray Pay him for —

Send me also 2^{ll} best green Tea in Canisters also hair Covers for 1 Dozen Chairs 2 of which are arm Chairs Put them up in a round Port mantle Trunk made Strong & Covered with Seal Skins I would have the Trunk just big enough to Pack up these Perticulars

2 Suits Cloaths	12 Chair Bottoms
2^{ll} Green Tea	1 Trunk

Copy ℔ mast fleet

Portsm° December 26 – 1759

Gen^ll^men the above is Copy ℔ the Mast Ships which I hope has reach your hands before this & that you have Executed the Contents I have nothing further to add but that I am with much respect

Your Obleedged Humble Servt

℔ his Maj^tys Ship the Boston

[5-16] [*Concerning Isaac Towle,* 1759.]

These may Sertefy that Isaac Towl as he Says was a Soldier under the Command of Capt Alexander Tod of Lundon Darry in Co^l Goofs Rigement the S^d Towl Says he was Sick at Blanford with the mesals he Came to my house July ye 1 – 1759 and was Sick at my house Seven weeks with a pleurisi feaver and the Slow feaver folowing after it

Lenester Novr ye 18 1759 } by me Thomas Green M D —

[5-17] [*Account of the Canada Expedition Committee,* 1759.]

The Accompt of Richard Wibird Esqr Chairman of the Committee for the Expedition Against Canada, 1759, —

The Said Accomptant Charges Himself with the Several Sums Received as follows

1759		Sterling
	The Ballance due to the Province in 1758	
Acco^t Bro^t forward —		£39,, 13,, 8
Receiv'd of the Treasurer pr the Governours Warrent		800,, 0,, –
Ditto of ditto pr Ditto, paid Col° Warner		200,, ——
Ditto of the Comm^tee for drawing Bills. One Sett of Bills for £311,, 14/ in favour of Robt Saunders Esqr		311,, 14,, –
Ditto of Ditto — 3 Setts Bill in favor J. Sherburne —		250,, ——
Ditto. of Capt Thos Tash, his Ball^a due pr Acc^t Settled		14,, 2,, 7
Ditto. of Capt Jn° Knight for a horse Sold		2,, 12
Ditto. Jos. Hanson Esqr his Ball^a due to Province		13,, 14,, 8
Ditto of Doc^r John Lamson his Ditto		13,, 15,, 8
Ditto. of Palatiah Russell — his d° —		9,, 15,, 2½
Ditto. of Thos Bell Esqr for Blackets for Soild^rs at ye Fort		2,, 8,, –
D° Mr Zebulon Giddings his Ballance Rend'red Outstanding in the Acc° for ye year 1756 £389,, 10,, 1½ — New Tenor —	is	62,, 6,, 5

Provisions Dl[d] into the Kings Stores by the Commissary in the year 1756—		274,,	10 –
A Ballance Rendred outstanding in John Knight Esq[rs] hands £45,, 10 N T— . . . . . is		7,,	5,, 7¼
	£2001,,	17,,	9¾

The Said Accomptant Discharges himself from the Aforesaid Sums by the following payments —

1759	Sterling		
Paid Joseph Sherburne his Acc[o] for Blankets &ca .	£250,,	0,,	0
D[o] D[r] John Lamson pr Rec[t]	12,,	10,,	–
D[o] D[r] John Hale d[o]	13,,		——
D[o] Nath[l] Rand Bill	2,,	17,,	7¼
D[o] John Wendell d[o]	2,,	12,,	9½
D[o] Thomas & Jos. Loud d[o]	9,,	16,,	9¾
D[o] Benj[a] Jennins d[o]	3,,	2,,	5
D[o] The Rev[d] M[r] True pr Rec[t]	10,,		——
D[o] Solomon Loud's Bill	26,,	8,,	–
D[o] Ezekiel Gummer d[o]	7,,	4,,	–
D[o] Thomas Loud d[o]	3,,	2,,	5
D[o] Joseph Loud d[o]	2,,	12,,	10
D[o] Edward Loud d[o]	14,,	12,,	10
D[o] John Pike d[o]	5,,	10,,	5
D[o] John Peirce d[o]	2,,	17,,	7½
D[o] Jonathan Ayers d[o]	9,,	12,,	–
D[o] Geo. Ayers d[o]	1,,	18,,	5
D[o] Charles Treadwell d[o]	4,,	16,,	–
D[o] Benj[a] Akerman d[o]	31,,	8,,	10
D[o] John Nelson d[o]	37,,	8,,	5¼
D[o] Jonathan Warners d[o]	52,,	19,,	4½
D[o] Woodbury Langdon d[o]	21,,		——
D[o] Richard Champney d[o]	21,,	11,,	–
D[o] Cap[t] Gregory Purcell d[o]	24,,		——
D[o] Ebenez[r] Jose d[o]	1,,	10,,	–
D[o] John Sweet d[o]	1,,	10,,	–
D[o] Benj[a] Jennins d[o]	4,,	16,,	–
D[o] Mark H Wentworth Esq[r] d[o]	51,,		——
D[o] Samuel Rankins d[o]	7,,	5,,	6
D[o] John Griffeth d[o]	2,,	12,,	2½
D[o] Samuel Tripe d[o]	1,,	10,,	–
D[o] D[r] Joshua Bracket d[o]	72,,		——
D[o] Noah Lovewell an Express	—	19,,	6

D°	Robert Saunders Esqr of Albany for Supplys for the Regiment pr the Col° Draft . . .	311,,	14,, –
D°	John Carkins Acc° 7/ Seth Johnson d° 24/ .	1,,	11,, –
D°	John Penhallows Acc° . .	1,,	18,, 5
D°	John Newmarch Esqr d° . .	12,,	——
D°	Nathl Barrell d° . .	2,,	17,, 7½
D°	Samuel Penhallow d° . .	1,,	8,, –
D°	John Nutter d° . .	1,,	8,, 9¾
D°	Col° Daniel Warner Esqr d° . .	168,,	3,, 7
D°	Richard and Thomas Wibird Esqr d° . .	19,,	4,, –
D°	Jacob Sheaff d° . .		17,, 7¼
D°	Thomas Parker d° . .	3,,	7,, 3
D°	Henry Sherburne Esqr for Blankets Stock^{gs} & ca	166,,	1,, 8
D°	John Knight Esqr d° . .	17,,	14,, –
	A Ballance Outstanding in m^{r} Zebulon Giddings hand —	22,,	6,, 5
Paid	Andrew Clarkson for Copies &ca 60/ . .	3,,	——
	A Bill of Exchange Drawn by Mr Kilby, 10th March 1758 in fav^{r} of Col° Atkinson for the Provisions Dl^{d} in the Kings Stores 1756. said Bill now in the hands of Col° Atkinson, for £274,, 10/	274,,	10,, –
		1722,,	7,, 4¾
	Ballance due The Province . . .	279,,	10,, 5
		2001,,	17,, 9¾

Portsmouth December 19th 1760 —

Errors Excepted p^{r} R Wibird Chairman of the Committee

Province of N. Hampsr } Portsm° Feb: 18th 1761

We being a Committee appointed by the General Assembly to Examine the Accounts of the Committe for Transacting affairs relating to the Expedition against Canada have carefully Examined this Account of Richard Wibird Esqr Chairman of said Committe for the Year 1759 & find the Same well vouch'd & right cast and that there is a Ballance thereon in favour of the Province of two hundred Seventy nine pounds ten Shillings & five pence Sterling to be carried forward to ye Acc° for the Year 1760

£279,, 10 – 5

Jos: Newmarch
Thos W Waldron
Mathew Thornton
A Clarkson
} Committee

Province of }
New Hamps^{r} } In the house of Representatives Feby 18th 1761

This Acco^{t} being Read & the Report thereon

Voted That this Acco^{t} be Accepted & Allowed, that the Committee be discharged from the Respective Sums therein Charged Against them, & that the Ballance be Carried Forward to their Sterl^{g} Acco^{t} for the Year 1760 A Clarkson Clerk

In Council Feb^{ry} 19 1761 read & Concurrd

Theodore Atkinson Sec^{ry}

Consented to B Wentworth

[*Petition of Susanna Johnson*, 1760.]

[Copied from Hibbard Collection, Vol. III., p. 178.]

To His Excellency Benning Wentworth Esqr Governor and Commander in Chief in & over His Majesty's Province of New Hampshire the Honble his Majesty's Council & House of Representatives in General Assembly Convened the 2^{d} of Feb^{r} 1760

The Humble Petition of Susanna Johnson Widow Relict of James Johnson Late of Charles Town in said Province Gent. Deceas'd Shews —

That your Petition^{r} with sentiments of the Highest Gratitude woud Remember & acknowledge the Bounty of the Assembly of this Province in the year 1755 to the Deceas'd granted for the Redemption of his Family then in Captivity which by the Deceit & Perfidy of the French did not attain the Good End Proposd. But how that money was applied and what was the Event of that affair, has been laid before the Committee of War and may appear by Papers now in the Secretary's Office —

That your Petition^{r} was afterward separated from her Husband after a whole years Imprisonment in a close & Loathsome Jail & sent to England with two of her children & a sister as Prisoners, to be exchanged, while her Husband & two other of her children remaind in Canada — That while your Petition^{r} was in England He found means of obtaining his Liberty & Returnd to New England as she also did after passing thro' a variety of Scenes and many misfortunes. But two of their children Remaind Prisoners in Canada.

That as the greatest calamity of all to your Petition^{r} Mr Johnson Fell in that unhappy attack on Ticonderoga under General Abercromy. Since which Col^{o} Schuyler has Redeemd her son who was

one of the children above mentiond and makes a Demand on her for that & some other Claim as appears by his account of sixty pounds nineteen shillings N. York Currency — Besides which one John H. Lidius sends her an account against the Deceas'd for sundrys supplied him in the time of his Captivity amounting to £12. 14. 8 York Money —

That your Petitionrs other child (a daughter) still Remains in Canada and unless she should have been taken out of the hands of the French by the late, or shall be by some future Conquest, must Continue with them (to the Great Grief of your Petitionr) for she has no means of Redeeming her —

That your Petitionr Considering that the Deceasd was a Person very Serviceable to his Country in General & Died in Defence of it was encouragd by sundry Gentlemen of Note to Petition the General Court in the Province of the Massachusetts to Grant her some Relief under her Desolate & Oppressing Circumstances But they Refused because the Deceased was an Inhabitant of this Province. — Wherefore your Petitionr most Humbly Prays your Consideration of the Series of Afflictions which have attended her and which have been occasiond by the Common Enemy whose outrage has fallen so heavily on her, and especially that her principal means of Subsistance as well as the greatest comfort is taken from her — And of your great goodness & commiseration make her such a grant as may enable her to discharge the said Demands (the evidence of which she has ready to present when calld for) with the charge & expences of her Journey to obtain it — or grant her such other Relief in the Premises as to your Wisdom and Benignity shall seem Proper and she will as in Duty Bound Ever Pray &c — Susanna Johnson

In Council Febry 2d 1760 — read & recommended & ordered to be sent down to the Honble Assembly

Theodore Atkinson Secry

Province of N. Hampr } In the House of Representatives Feb'y ye 6th 1760 — The Petitioner being heard on this Petition

Voted — That there be paid to her out of the money in the Treasury forty one pounds Sterling for the uses in the Petition mentioned

H. Sherburne Speaker

In Council Eodm Die — read & concurrd

Theodore Atkinson Secry

Consented to — B. Wentworth.

[See Vol. VI., p. 738 Also Farmer & Moore, Vol. I. — Ed.]

[*Petition from Lebanon, Connecticut, Men for a Grant of Land at Little Coos*, 1760.]

[Copied from Hibbard MSS., Vol. III., p. 179.]

To his Excellency Benning Wentworth Esqr Governour & Comander in Chief in & over his Majesty's Province of New Hampshire in New England —

Whereas your Excellency hath issued a Proclamation setting forth that there is a large Tract of unsettled Land lying in your said Province, called & known by the Name of Little Cowoss to which your Excellency hath been pleased to invite the Inhabitants of said Province & the Neighbouring Governments to settle: and that if sixty good & wholesome Inhabitants shall appear to settle said ungranted & uncultivated Land, they shall have a Grant & a good Title made to them of a Township six miles square in or on said Little Cowoss — Therefore we the Subscribers, Inhabitants of Lebanon in the Colony of Connecticut, desirous to settle on such Land, take leave humbly to Petition your Excellency for a Grant & a good Title to be made to us of a Township as aforesaid in s^{d} Little Cowoss, under the Regulations of other Townships granted by your Excellency — and Mr Ebenezer Case is named & appointed our agent, to appear for us & transact therein fully & amply on our Behalf —

Relying on your Clemency & Goodness

We are Your Excellency's most obedient humble servants

Peletiah Bliss	Beriah Southworth	Zebulon Case
Azel Fitch	Peter Porter	Elisha Doubleday
Oeates Williams	Daniel Shaw	Amos Robinson
Jos: McKaul	Abram Loomiss	Ezek: Loomiss
Jesse Heath	Thos Loomiss Junr	Abel Marsh
Jonth Goodwin	John Strong	Eb: Bliss Junr
Eliph^{a} Huntington	Elijah Strong	Elisha Marsh
Benajah Strong	John Whitney	Ezek: Loomiss Junr
Hez^{h} Waters	Eb: Gary	Nathl Porter
Moses Waters	Eliph^{a} Marsh	Jere: Mason
Elijah Tisdale	Oliver Huntington	Robert Thompson
Caleb Hide Junr	Nathl Bliss	Eb: Fitch
Josiah Wilson	Abel Buell	Jos: Moulton
Israel Loomiss	Is: Gillit	Isaac Bailey Junr
Daniel Loomiss	James Huntington	Elijah Hide Junr
Is: Loomiss Junr	Josiah Taylor	Jonth Clark
Dan^{ll} Dewey	Eliezer Robinson	Elijah Sprague

Oliver Webster	Eb : Case	Jonth Clark Junr
James Clark	Jesse Dean	Sam^{ll} Bailey
John Taylor	Daniel Moulton	Sam^{ll} Gillit
Phin^{s} : Clark	Jos : Marsh	Isaac Bailey

A True Copy — Attested ℘ Eben^{r} Case Clerk

At a meeting of a Number of the Inhabitants of the Colony of Connecticut Convened at Lebanon in said Colony on the 8th Day of December 1760 in order to obtain & settle a Township in the Province of New Hampshire on Connecticut River — Mr Ebenezer Case was chosen their agent & desired forthwth to make proper application to the Governor & Council of the Province of New Hampshire to obtain a Grant of a Township in said Province on said River at the Cost of said Company Ebenezer Case Clerk

Lebanon Decr 8th 1760 —

[*Instructions to Governor Wentworth in regard to Raising Troops.*]

[Belknap Papers, Vol. II., p. 298.]

Whitehall Janry 7th 1760.

Sir, His Majesty having Nothing so much at Heart, as to improve the great & important Advantages gained the last Campaign in N^{o} America, and not doubting, that all His faithful and brave Subjects there will continue most chearfully to co-operate with, and second to the utmost, the large Expence & extraordinary Succours, supplied by this Kingdom, for their Preservation & future Security, by compleating the Reduction of all Canada; And His Majesty not judging it expedient to limit the Zeal and Ardor of any of His Provinces, by making a Repartition of the Force, to be raised by Each respectively, for this most important Service; I am commanded to signify to you the King's Pleasure, that you do forthwith use your utmost Endeavours and Influence with the Council and Assembly of your Province, to induce them to raise, with all possible Dispatch, within your Government, at least as large a Body of Men, as they did for the last Campaign, and even as many more, as the Number of its Inhabitants may allow; and forming the Same into Regiments as far, as shall be found convenient, that you do direct Them to hold Themselves in readiness, as early as may be, to march to the Rendezvous at Albany, or such other Place, as His Majesty's Commander in Chief in America shall appoint, in order to proceed from thence, in Conjunction with

a Body of the King's British Forces, and under the Supreme Command of his Majesty's said Commander in Chief in America, so as to be in a Situation to begin the Operations of the Campaign by the first of May, if possible, or as soon after as shall be in any way practicable, by an Irruption into Canada, in order to reduce Montreal, and all other Posts belonging to the French in those Parts, and farther to annoy the Enemy in such manner, as His Majesty's Commander in Chief shall, from his Knowledge of the Countries, thro' which the War is to be carried, and from emergent Circumstances not to be known here, judge to be practicable ; And the better to facilitate this important Service, the King is pleased to leave it to you to issue Commissions to such Gentlemen of your Province, as you shall judge, from their Weight and Credit with the People and their Zeal for the Publick Service, may be the best disposed, and able, to quicken and effectuate the speedy levying of the greatest Number of Men ; in the Disposition of which Commissions, I am persuaded you will have Nothing in View, but the Good of the King's Service, and a due Subordination of the whole, when joined, to His Majesty's Commander in Chief ; And all Officers of the Provincial Forces, as high as Colonels, inclusive, are to have Rank, according to their several respective Commissions, agreable to the Regulations contained in His Majesty's Warrant of the 30th Decr 1757.

The King is further pleased to furnish all the Men, so raised as above, with Arms, Ammunition & Tents, as well as to order Provisions to be issued to the same by His Majesty's Commissaries, in the same Proportion and Manner, as is done to the rest of the King's Forces. A sufficient Train of Artillery will also be provided, at His Majesty's Expence, for the Operations of the Campaign ; And the Ship that conveys This, carries Orders for timely providing, at the King's Charge, with the utmost Diligence, and in an ample Manner, Boats, & Vessels, necessary for the Transportation of the Army on this Expedition. The whole therefore, That His Majesty expects and requires from the several Provinces, is, the Levying, Cloathing and Pay of the Men ; And on these Heads also, that no Encouragement may be wanting to this great and salutary Attempt, the King is farther most graciously pleased to permit me to acquaint You that strong Recommendations will be made to Parliament, in their Session next Year, to grant a proper Compensation for such Expences as above, according as the active Vigour & strenuous Efforts of the respective Provinces shall justly appear to merit.

It is His Majesty's Pleasure, that you do, with particular Diligence, immediately collect, and put into the best Condition, all the Arms issued last Campaign, which can be, any ways, rendered serviceable,

or that can be found within your Government, in order that the Same may be employed, as far as they will go, in this Exigency. — I am, at the same time, to acquaint you, that a reasonable Supply of Arms will be sent from England, to replace such, as may have been lost, or have become unfit for future Service.

I am farther to inform you, that similar Orders are sent by this Conveyance to Connecticut, Rhode Island, New York, New Jersey, and Massachusetts Bay: The Southern Governments are also directed to raise Men, in the same Manner, to be employed, in such offensive Operations as the Circumstances and Situation of the Enemy's Posts in those Parts may point out, which, it is hoped, will oblige them so to divide their Attention and Forces, as may render the several Attempts more easy and successfull.

It is unnecessary to add any thing to animate your Zeal in the Execution of His Majesty's Orders on this great Occasion, where the future Safety and Welfare of America, and of your own Province in particular, are so nearly concerned; And the King doubts not, from your known Fidelity & Attachment, that you will employ yourself, with the utmost Application and Dispatch in this promising and decisive Crisis. I am with great Truth & Regard, Sir,

Your most obedient humble Servant W Pitt

Govr of New Hampshire.

[5–18]

[Account of Richard Wibird. chairman of the committee for the Crown Point expedition, 1757. — Ed.]

[5–19] [*Petition of Elijah Denbo.*]

To his Excellency Benning Wentworth Esq Captain Generall Governour & Commander in Chief in & over his Majesties Province of New Hamp^{r} the Honble his Majesties Council & House of Representatives in General Assembly Convened, Jan^{ry} 23^{d} 1760

Humbly Sheweth Elijah Denbow your Petitioner was a Soldier in the Crown Point Expedition in the Year 1757 in the Company whereof Hercules Mooney was Captain that your Petitioner was taken at Fort William Hen^{ry} the said Year & carried to Mont Royal where he was about three weeks & from thence was carried by the Indians into the Indian Country where they kept him about a fortnight & then he made his Escape from them & Returnd to Mont Royal from whence

he was Immediately transported down to Quebeck where he was Twenty one Months ten of which he was in Prison & had the Small Pox; & from thence he made his Escape down the River St Laurence to Louisbourg, & sufferd too many hardships to be here Enumerated.

For all which time & Sufferings Your Petitioner prays such Recompence as in your great Wisdom & Usual Clemency you think sufficient & Your Petitioner as in duty Bound shall ever Pray.

Eliger Denbo

Province of New Hamps^{r} } In the house of Representatives Jany 26th 1760 — This petition being Read

Voted That there be Allowed & paid to Elijah Denbo or his order one hundred Twenty Eight pounds two Shill^{gs} & Six pence New Ten^{r} Out of the Crown point mony In the Treasury for the Expedition In ye Year 1757 & be In full of this petition A Clarkson Clerk

In Council Jan^{ry} 26 — 1760 the within Vote read & Concurrd
Theodore Atkinson Sec^{ry}

Consented to B Wentworth

Mem^{o} When the War^{t} is made out on the Treasurer, a Stopage is to be made by him, for what he rec^{d} on his Arrival by the Gov^{rs} War^{t}—

[5–20]

[Captain Alexander Todd, and John Logan, a member of his company, testify that Logan lost a gun, and also did not receive a month's advance wages. Allowed twenty-seven shillings sterling for advance wages January 29, 1760. — Ed.]

[5–21]

[Petition of Samuel Richardson, a soldier in Captain Ladd's company, Colonel John Hart's regiment, for allowance to cover expense incurred by sickness, and for continuance of wages until recovered. Allowed seventeen shillings six pence, new tenor, January 29, 1760. — Ed.]

[5–22]

[Richard Sargent, a soldier in Colonel Hart's regiment, asks for allowance for loss of a gun valued at four dollars, and that the allowance be paid to Captain Trueworthy Ladd. Witnesses, John Eastman and Willins Collins. Dismissed, January 29, 1760. — ED.]

[5–23] [*Account of Thomas Packer.*]

The Account Curr[t] of the Province of New Hampshire with Thomas Packer Esq[r] Paymaster to the New Hamp[r] Regiment in 1759.

D[r] The Accountant Chargeth Himself with the Following Sum — viz —

1759
April To Cash Receiv'd of the Province Treasurer ℔ the Governors Warrant — . . . £2400,, 6,, 6
Sterling

1759 The Accountant Dischargeth himself In the Following Manner viz —

By Cash paid to Eighty five Souldiers, belonging to Coll[o] Wallingfords Regiment Raised this Year For the Intended Expedition against Canada, at Three pounds Seven Shillings & Six pence ℔ man For Cloathing & first months Advance pay — . . £286,, 17,, 6

By Cash paid to Twenty Six Souldiers belonging to the Same Regiment & raised for Said Expedition, at Six pounds one Shilling & Six pence ℔ man, for Cloathing, First Months Advance pay, & Bounty for being on the Service the last Year — . . 157,, 19 –

By Cash paid Ninety one Ditto belonging to Coll[o] Samuel Gilman's Regiment, raised for the Same Service, at three pounds Seven Shilling & Six pence ℔ man, for Cloathing & first Month's advance pay — 307,, 2,, 6

By Cash paid Twenty four D[o] belonging to the Same Regiment & raised for the Same Expedition at Six pounds one Shilling & Six pence ℔ man for Cloathing First Months Advance pay, and for being in the Service the Last Year — 145,, 16,, 0

By Cash paid one hundred & fifteen D° belonging to Coll° Ebenezer Stevens's Regiment, raised for the Same Service at Three pounds Seven Shillings & Six pence ℔ man, for Cloathing & first MonthsAdvance pay —	388,,	2,,	6
By Cash paid Seven D° belonging to the Same Regiment and raised for the Same Service, at Six pounds one Shilling and Six pence ℔ man for Cloathing, first months Advance pay, & for being in the Service the last Year —	42,,	10,,	6
By Cash paid Seventy Seven D° belonging to Coll[l] Andrew Todd's Regiment, & raised for the Same Service, at three pounds, Seven Shillings & Six pence ℔ man, for Cloathing & first Months advance pay —	295,,	17,,	6
By Cash paid one man belonging to the Same Regiment & raised for the Same Service for Cloathing, First months advance pay, and for being in the Service the last Year —	6,,	1,,	6
By Cash paid One hundred D° belonging to Col[l] Zaccheus Lovewell's Regiment, & raised for the Same Service, at three pounds Seven Shillings & Six pence ℔ man for Cloathing & first Months Advance pay —	337,,	10,,	
By Cash paid Two men belonging to the Same Regiment & raised for the Same Service at Six pounds one Shilling & Six pence ℔ man for Cloathing, first Months Advance pay, & for being in the Service the last Year —	12,,	3,,	0
By Cash paid to Six men belonging to Col[l] Theodore Atkinson's Regim[t], & raised for the Same Service, at three pounds Seven Shillings & Six pence ℔ man for Cloathing, and first Months Advance pay — .	20,,	5,,	0
By Cash paid three men belonging to the Same Regiment, & raised for the Same Service at Six pounds, one Shilling & Six pence ℔ man for Cloathing first Months Advance pay & for being in the Service the last Year —	18,,	4,,	6
By Cash paid Sixteen Men belonging to Col[l] John Downing's Regiment, & raised for the Same Service, at three pounds Seven Shillings & Six pence ℔ man for Cloathing and first Months Advance pay	54,,	0,,	0
By Cash paid two men belonging to the Same Regiment & raised for the Same Service, at Six pounds			

one Shilling & Six pence ℔ man, for Cloathing First Months Advance pay & for being in the Service last Year —	12,, 3,, 0
By Cash paid thirteen men belonging to Col[l] Meshech Weare's Regiment & raised for the Same Service, at three pounds Seven Shillings & Six pence ℔ man for Cloathing & first Months Advance pay — .	43,, 17,, 6
By Cash paid Eight men belonging to the Same Regiment & raised for the Same Service, at Six pounds one Shilling & Six pence ℔ man for Cloathing, first Months Advance pay & for being in the Service the last Year —	48,, 12,, 0
By Cash paid Joseph Ham & W[m] Roberts their Enlisting bounty 22/ 6[d] Each	2,, 5,, 0
By Cash paid M[r] Noah Emery for his Assistance in paying of Col[l] Gilman's Regiment & Drawing a Fair Copy of the Several Rolls for the Governor . .	2,, 0,, 0
By my Expences doing the aforesaid Services Riding twice to Litchfield, Twice to Dover and Exeter and a Fourth time to Kingston	6,, 10,, 0
By my Commissions in paying the aforesaid Sums Riding Several times round the Government, to pay Each man his Respective Sum aforesaid, at Two & an half ℔ Cent —	56,, 5,, 0
By Cash p[d] to Cap[t] Caleb Clark by the Governors Order —	75,, 12,, 0
	2203,, 14,, 0
By Ballance paid the Treasurer of said Province	116,, 12,, 6
	2400,, 6,, 6 Sterling

Portsmouth February 7[th] 1760 —

Errors Excepted ℔ Tho[s] Packer
Paymaster to Col[o] Zacheus Lovewells Regiment

Province of
New Hamp[r] } Portsmouth Feb[y] 9: 1760 —

We being Appointed by the Hon[ble] Assembly to Examine the within Acc[t] have Examined the Same & find it well Vouched & Right Cast

Tho[s] W Waldron
Mathew Thornton } Committee

Province of
New Hamps^{r} } In the house of Representatives Feby 16th 1760 —

Voted. That there be Allowed to Thomas Packer Esqr Fifteen pounds Ster^{g} In full for his time Trouble & Expences In paying this Acco^{t}, & paid him Out of mony In the Treasurey for that purpose, And further Voted that he be not Intiteled to Receive the said Fifteen pounds till he has produced to the Honble Theodore Atkinson Esqr Sec^{ry} the Treasurers Receipt for Sixty four pounds fifteen Shillings Sterl^{g} mony paid by him to Ballance this Acco^{t}, and that the Treasurer Give the province C^{r} for the same —

£15 — Sterl^{g} A Clarkson Clerk

In Council Eod^{m} Die read & Concurrd
Theodore Atkinson Sec^{ry}

Consented to B Wentworth

[5–24]

[*Petition of Four Soldiers for Reduction of Sutler's Accounts.*]

To the Honorable the Generall assembly, or the house of Representatives, of the Province of New Hampshire —

Humbly, Shew, Bily Dudly, Stephen Fogg Benjamin Kimball all of Exeter and Josiah Judgkins of Kingston all within the Province of New Hampshire That (Thomas Stone) (a Servant of the said Bily,) the said Stephen Benjamin Kimbal, and (Richard Tucker, a Servant of the said Josiah) Were Soldiers in the Expedition in the Service of this Goverment in the year, 1759, and that they were Supplyd with necessaries by Sundry Suttlers that Suttled for said Regiment, and all said Persons were in the Company of Capt Samuel Folsom and Some of said Servents gave orders on the Treasurer, for Wages, and Run in debt to said Suttlers, viz — Hall and Dresser, and the said Petitioners apprehend that the said acc^{ts} are Exhorbitant and unjust, and they have desired the said Hall and Dresser to give a Copy of their Acc^{ts} to your Petitioner but were Refused and Your Petitioners have no Remidy unless aided by the Honble assembly. Wherefore they Humbly pray that your Hon^{rs} will take the Same into Consideration both of the said orders and Supplys by the Suttlers, and Especially as their money is not paid by said Capt Folsom, that order may be made that the money Charged by said Suttlers, may not be paid until this Hon^{le} house are Satisfied about the premises or Grant

Such other aid as in Your Wisdom shall seem meet & as in Duty bound your Petitioners Shall as in Duty bound Ever pray —

March 27, 1760 — Bile Dudley Benj[a] kimball
Stephen Fogg Josiah Judkins

[Here follow the detailed accounts of supplies received from the above-named sutlers, by Benjamin Kimball, Stephen Fogg, and Thomas Stone. — ED.]

[5-30]

[Major Samuel Moor, of Colonel Zaccheus Lovewell's regiment, petitions that an exorbitant charge of twenty pounds made him by the Colonel for tent expenses may not be stopped out of his wages, and that they may be allowed to settle it between them. Hearing appointed for April 8, 1760. — ED.]

[5-31] [*Certificate of Impressment.*]

Prov[e] of — } April 9[th] 1760 I do hereby Certyfie that Pursuant
New Hamp[r] } to the Governors orders to the Several Cap[t] of horse
Cap[t] Jona[n] Moulton imprest two of his Troopers to gaurd me this day
from Hampton Falls to Portsmouth and from there to Newington
ferry who attended the Servis I being by the Governors order on the
buissiness of murstering and paying of the Soldiers raised this pres-
ent year for the Reduction of Cannada the Troopers that attended
me ware W[m] Prescot and Sam[ll] Prescot — att Tho[s] Packer

[5-32] [*Certificate of Impressment.*]

Province of }
New Hampsh[r] } April 11[th] 1760 I do hereby certify That pursuant
to the Governors orders to the Several Cap[ts] of horse Cap[t] William
Weeks imprest two of his Troopers to guard me this Day from Ports-
mouth to Exeter, who attended the Service — I being by the Gover-
nors Order on the Business of Mustering & paying off the Soldiers

raised this present Year for the Reduction of Canada — the Trooper that attended me were John Fabian & John Gee Pickerin —

Attest — Thos Packer

besides these Josiah Clark Greenleaf Clark two from Odlen one from Stevens is 5
these 3 Certificates — 6

11 @ 6/ 5 ap

[5–33] [*Certificate of Impressment.*]

Provce of New Hampr } Apl 18th 1760 I do hereby Certify that Pursuant to the Governors orders to the Several Capt of horse Capt Anthony Towl imprest two of his Troopers to guard me this day from Londonderry to Lytchfield who attended the Servis I being by the Governors order on the buissiness of mustering and paying the Soldiers raised this Present year for the Reduction of Cannada the Troopers that attended me ware John Underhill and Theophs Sargent —

att — Thos Packer

40s/ N Tr Each

[5–34] [*Recommendation from Governor Wentworth.*]

Portsmo 14th May 1760

Sir The Inclosed, I this minute recieved from Mrs Mitchell, an unfortunate distressed Widdow, who for Services done the Province by her deceased husband pleads hard for her due, and that Justice may be done her, it is my orders that you Lay this letter with hers before the assembly, who I persuade my Self will make her an Equitable grant, more especially Since her distressed circumstances call for it

I am Sr Your most hmb Servt B Wentworth

The Honbl Thr Atkinson Esqr

[See Vol. VI., p. 752. — Ed.]

[5–35] [*Petition of William Morrison and Ephraim Pickering.*]

To His Excellency Benning Wentworth Esqr Governor & Commander in Chief in & over His Majesty's Province of New Hampshire the Honble his Majesty's Council & House of Representatives for said Province In General Assembly Convened May 15th 1760 —

The Humble Petition of William Morrison & Ephraim Pickerin

Shews — That Your Petition^{rs} had Each of them a Servant in his Majesty's Service the last year under Capt Johnson William Brooks the Servant of said Morrison & Jethro Dam the said Pickerin's —

That there is a Sum due to Yo^{r} Petition^{rs} on the Muster Roll or a Sum due for their Respective Wages which Your Petition^{rs} humbly Conceive they have a Right to Receive but the Treasurer Refuses to pay the Same Suggesting that he is forbid So to do — Wherefore Your Petition^{rs} humbly Pray that this matter may be Considered and the Respective Sums due as aforesaid paid to them or that Justice may be done herein in Such Way & Manner as in Your Great Wisdom & Goodness You shall Judge Proper & they Will as in Duty Bound ever pray &c

william morison
EPhraim pickrein

In Council May 15th 1760 read & ordred to be Sent Down to the Honble House

Theod^{r} Atkinson Sec^{ry}

[Endorsed] Read Jany 29th 1761, & June 18 1761 — the Treasurer himself Settled & p^{d} Morrison, & pickeren their money May 27th 1762.

[*Atkinson to Trecothick, Apthorp, & Thomlinson.*]

[Belknap Papers, Vol. I., p. 174.]

Portsm^{o} New Hamp^{r} Decemb^{r} 29th 1760 —

Gentlemen

On the 27th of Octob^{r} last (by the Wenchester) I wrote you relative to my affairs as D^{y} Survey^{r} of his Majestys Woods to which I now beg leave to referr you I now Enclose you a Copy of Mr Jones Acco^{t} the last I rec^{d} from him by which youl observe not only the Method he kept his Acco^{ts} in which was very clear & the Several Articles explain themselves Those Sums he gave Credit for by B— Wentworth Esq is an allowence the Govern^{r} made me for Setting as Chieff Justice of the Superior Court here — Those Articles which he debts me with are an Allowance made the Survey^{r} General out of My Sallary at first & has been by him Charged me all along being the $\frac{2}{3}$ of the n^{t} Proceeds of my Sallary after deducting the fees Agency &c^{a} — And in this Method I Should be glad You would keep the Acco^{ts} in future I imagine his Excellency now writes you & as he tells me he has Left it to Mr Thomlinson to appoint an Agent suppose it will fall under your Care as he Seems to decline Bussiness of this Kind Youl Please to Observe I have forwarded Two Diarys that I have no Acco^{t}

of One for Seven Quarters between the 23d Day of Decembr 1757 & 28th Septr 1759 No of Days 341 This was forwarded & Duplycated by the Mast Convoy the 27th Octobr 1759 The other Diary I forwarded by the Wenchester Convoy to the Mast Ships on the 18th of October last 1760 this Diary comenced the 4th of Octobr 1759 & Ended the 26 Septr 1760 & Contained 184 Days you'l also Observe that Mr Jones gives me Credt for my Sallary to Midsumer 1758 only so that up to Christmass Last 1760 I have Two & half years Sallary due as also the Governrs Allowence of forty Pound ℔ year from Midsumr 1758 is as above 2½ years to Xtmass last all which Amos to £525 — this I hope youl meet no difficulty in recieving and Charge me the fees &ca &ca — I am in hopes Mr Jones recd the first of sd Diarys & Accounted with You before his Death for it & for Sallary &ca the Other you may no doubt have of his Executor which Pray inquire After & Present for want of his Accot & Your Accot Currt I am Sadly at a loss to know how my affairs Stand I observe by Mr Thomlinson Accot of Sales of Some of the Provinces Stock he Sold for £83 I hope you Invested my Ballance when the Stock was Low & that as Soon as you recieve the remainder of Mr Jones Executor or from the Navy office you will immediatly Purchas me the Value in Some or Other of the Publick or Stocks in the above I must beg your Perticular care & favour me with a Line & if your Time will alow let me have also your Accot Currt wishing you may Enjoy the Pleasure of the Season conclude me — Gent

Your most Obedient Humble Servt

1 Diary 341 2 Do 184	is 525 days at 6/ 8 ℔ Dm	£175
2½ years Allowence of the Governr at £40 ℔ anm	. .	100
2½ years Sallary to Christmass Currt	. . . . .	250
		£525

Send me 2ll best green Tea & 1 ps Donlap for Servants Sheeting

Janry 10 — 1761 In the Duplycate by Darling I added as your Credr my accot with the Govrs Allowance of £10 ℔ Dm youl Naturally Debt his Accot therefor

Gentlemen the above is Copy ℔ his Majtys Store Ship Crown who is Stil here (I wish in a Place where She might be Serviceable) this I Propose by Capt Darling & have only to repeat my Desires of your Care in what I ask above & that I may soon hear from you and am

Your most Obleedgd Humble Sert

Copy T A

[5-36]

[A long detailed bill against the Province, by Daniel Warren, for supplies and sundry charges against Fort William and Mary. — Ed.]

[5-37]

[Letter relative to a proclamation of the Governor, ordering all officers to keep their posts until the arrival of orders from the King; also calling a meeting of the Council, and directing the publication of the proclamation. No date or signature. See Vol. VI., p. 750. — Ed.]

[5-38]

[Thomas Bell's account against Fort William and Mary, January 1, 1761. — Ed.]

[5-39] [*Petition from Selectmen of Holden, Mass.*]

To His Excelency Governour Wintworth Esqr Captain General in Cheif in and over His majestyes Province of Newhampsher in New-england the Honorable his maj^{ts} Councel and House of Representatives In General Assembly Convened

The Petition of the Select men of Holden in the County of Worcester Humbly Sheweth

That Whearas Daniel Wintworth Stephen Glasur otes Stagpol Timothy Davis all provinceshals of the Govermente of New hampshire as they Ware on their Way from Crown poynt Homeward in the Evening of the Thirtyeth of November Laste Paste as it Happened feel in at the Howse of James and Jonas Gray of Holden and Being Infected With the Small Pox and other Distempers and Could Note Travil or be Removd aney further With Saftey and we Your Excelencyes Petitioners Being by a Cirtain Statute in ower province Law obliged to Take Care of Such Sick persons Your Excelencyes petitioners upon the firste Notes Came and prevailed With Jonas Gray to Leave His End of the Howse for an Hospitil and to Disperse With His Wife and Sister and Brother among the Neighbours allso appoynted Mr James Boyd to provide Carfull Nurses and things for their Comforte Who faithfully Discharged His Duty in that Regard

by providing Good Nurses and Everey thing Neadfull for their Comforte While Liveing and at their Death ordered them to be Deasently Laid out With Clean Sheets and Capes and Good Coffins and in a Deasente and Christinlik manner Buried the Dead and allso Took Good Care that the Surviver Namely Timothy Davis Should be Weel Tended While Restored to Helth and Clensed and a pase Given Him in order for His Safe Returne Home to His own Land all Which Causte and Charge we Your Excelencyes petitioners are made Debter for as by the Several accounts to be Exibited Will moore fully appear Thearfor We your Excelencyes petitioners Humbley [pray] that the Same may be Granted and allowed in ower favour in Such money as is pasable in ower Govermente and Delivered to ower faithfull frind m^r James Boyd Whome We Constitute in ower Name and Sted to Recive and Give Discharge for the Same to Gether With Such allounce for His Trouble as Your Excelency Shall in Wisdom think Juste in prseing the petition and upon Your Excelencyes Compliance Hear With Your petitioners as in Duty Bound shall Ever Pray

Holden Jan^ry the 12 : 1761 — Israel Davis, Richard Flagg, Samuel Heywood, Bezaleel Fisk } Selectmen of Holden

Province of the
Massachusetts Bay

Worcester ss January 12th 1761 Israel Davis Richard Flagg Samuel Heywood and Bezaleel Fisk within named appeared & acknowledged the within petition and Instrument to be their Voluntary act and Deed Before me Jno Stone Justice of the peace

Province of }
New Hamps^r } In the house of Representatives Feby 17, 1761 —

This Petition being read & the Sundry Acco^ts Relative thereto

Voted, That the prayer of this petition be Granted & the Several Acco^ts therein Referrd to amounting to £30, 18/ 1^d proclamation money with 30/ more like money to Said Boyde for his Trouble, the whole amounting to Twenty four pounds Six Shillings & three farthings Sterl^g & paid to Said Boyd mentioned In said petition, or his ord^r Out of mony In the Treasury & Charged to the Expedition Acco^t for the Year 1760 & In full for s^d petition.

£24,, 6,, 0¾ Sterl^g — A Clarkson Clerk

In Council Feb^ry 18 1761 read & Concurrd

Theod^r Atkinson Sec^ry

Consented to — B Wentworth

[5-45] [*Soldiers' Petition.*]

Province of New Hampshire } To His Excellency Benning Wentworth Esq[r] Captain General Governor & Commander In Chief in and over his Majestys Province of Newhampshire To the Hon[ble] his Majestys Council and house of Representatives for Said Province Convened in General Assembly Jan[ry] 20 1761

Most Humbly Sheweth The Subscribers Soldiers in the Service and Pay of this Province in the Expedition against Canada in the year 1760

That whereas in the year 1759 Several of the Captains of Companys in the Canada Expedition for that year were allowed to Draw moneys out of the Treasury and Pay Off their Respective Companys By means whereof & of Sundry Stoppages (as we apprehend Unjustly) Made By Some of Said Officers, We have Reson to think that great Injustice was done to Some of the Said Soldiers

Wherefore your Petitioners Humbly Pray that your Excellency & Hon[r] will Consider of the Premises and order that the Captains of the Companys in the Said Expedition in the year 1760 may not Receive the Pay for their Respective Companys But that the treasury of the Province may be ordered to Pay the Said Souldiers as Usual The whole of their wages that is due to them Unless the Captains & Sutlers Shall Render a Particular account under oath for what Demands they may have against any of the Soldiers, and that Such further order may be taken Concerning the Premises as to your Excellency & Honours Shall seem most Proper —

And your Petitioners as in Duty Bound Shall Ever Pray &c —

Stephen Fogg	James Chase	John Kimball
James mash	John Bowden Ju[r]	Abraham Webb
Lemuel Davis	Jon[a] Young	Alexander magoon
Hugh Johnson	Jon[a] Piper	Joseph Thing Ju[r]
Samuel Davis	Abraham Sharef	Josiah George
Joseph Giles	Daniel Young	Benj[a] Clifford
John Purmort	Ebenezer Smith	Joseph Malem
Bile Dudley	Nicholas Gorden	

[5–46] [*Account of Thomas Packer.*]

Dr Province of New Hampr Accot Currant with Thos Packer Esqr Paymaster and muster master To the New Hampr Regimt 1760—

1760 Apl The accompt Charged himselfe with The Following Sums vzt—

To Cash Received of the Treasurer pr the Goverrs Warrant To Pay the Soldiers their Cloathing Bounty and First months advance pay Sterling mony— £5130 ——
May 1761 To Do Do pr Do . . . . . 54 ——

Sterling mony— . . . . £5184 : 0 : 0
1761 Janry 9th To Cash recd of the Treasurer pr the Goverrs Warrant To pay Cloathing Bounty and first months advance pay . . . . . 6 : 15 : 0

£5190 : 15 : 0
Ballance due— 16,, 15,, 7

£5207,, 10,, 7

1760 The accompt dischargeth himself in the Following maner vzt—

By Cash Paid one hundred and thirteen Soldiers raised this Present year for the Reduction of Cannada out of Coll Atkinsons Regimt Eatch man the Sum of 6 : 15 : 0 Sterling mony to buye Cloaths and for his first months advance wages— . . . . £762 : 15 : 0
By Do Do one hundred and Seventy one out of Coll Wallingfords Do the Sum of 6 : 15 : 0 Do Do Do . £1154 : 5 : 0
By Do Do Seventy Five Do Do out of Coll Weares Do The Sum of 6 : 15 : 0 Do Do Do . . . . £506 : 5 : 0
By Do Do one hundred and Twenty Six Do Do out of Coll Gilmans Do The Sum of 6 : 15 : 0 Do Do Do . £850 : 10 : 0
By Do Do one hundred and Forty Do Do out of Coll Stevenses Do The Sum of 6 : 15 : 0 Do Do Do . £945 ——
By Do Do Eighty one out of Coll Todds Do The Sum of 6 : 15 : 0 Do Do Do . . . . . £546 : 15 : 0
By Do Do Forty one Do Do out of Coll Lovewells Do The Sum of 6 : 15 : 0 Do Do Do . . . . £276 : 15 : 0
By Do Do Capt Todd Five Soldiers mony 6 : 15 : 0 Eatch pr The Govrs order the Said Soldiers belonging to Coll Todds Regimt . . . . . £33 : 15 : 0

By D° D° Lieu^{t} mooney four D° D° D° D° p^{r} D° The Said Soldiers belonging to Co^{ll} Wallingfords Regim^{t} —	£27 —
By D° D° Capt Lovewell four D° D° D° D° p^{r} D° The Said Soldiers belonging to Co^{ll} Lovewells Regim^{t} —	27 —
By D° D° four D° D° p^{r} D° To Co^{ll} Goff the Said Soldiers belonging to Co^{ll} Lovewells Regim^{t} —	27 —
By D° D° Capt Hazzen Two D° D° p^{r} D° the Said Soldiers belonging to Co^{l} Stevenses Regiment —	13 : 10 : 0
By D° D° John Robinson a Soldier belonging to Co^{ll} Stevenses Regim^{t} p^{r} the Gov^{rs} order —	6 : 15 : 0
By Loss in Divideing the above Sum among the Soldiers —	2 —
1761	
Jan^{ry} 22^{d} By Cash p^{d} Hercules mony for his son Jonathan his bounty and advance wages	6 : 15 : 0
By 36 Days Expences at 10/ p^{r} Day —	18 —
By 36 Days Service my Selfe and horse to pay 767 Soldiers 6 : 15 : 0 Sterling mony Eatch man at p^{r} Day —	
Allowance for Eleven Troopers that Attended him @ 6/5	3 : 10 : 7
	£5207,, 10,, 7

Portsm° Jan^{ry} 29th 1761 Errors Exepted

Pr Thos Packer

Province of New Hamp^{r} } Feby 7 1761 We the Subscribers being Appointed a Comitte to Examine the Within acc^{t} & the Vouchers thereof Have Examined the Same & find them well Vouched & right Cast Which is humbly Submitted

By Thos W Waldron, Mathew Thornton } Committe

Province of New Hamps^{e} } In the house of Representatives Feby 14th 1761 — Voted That this Acco^{t} be Allowed & the Ballance Amounting to Sixteen pounds fifteen Shillings & Seven pence Sterlg & paid to Thom^{s} Packer Esqr or order Out of mony In the Treasury & Charged to the Expedition Acco^{t} for 1760 & that he pay the Several Troopers their Allowance

£16,, 15,, 7 A Clarkson Clerk

In Council Eod^{m} Die read & Concurrd Theod^{r} Atkinson Sec^{ry}

Consented to B Wentworth

[5-47]

[Petition of Hezekiah Jenness, of Captain Jacob Tilton's company, Colonel John Goff's regiment, for allowance to cover expense of twenty dollars, incurred by sickness ; also for twenty-five shillings for loss of his gun. — ED.]

[5-48] [*Account for Printing Paper Money.*]

Province of New Hampshire to the Committee for Imprinting Seven thousand pounds Sterlg Agreeable to Act of Governmt passed Febry 1759 —

To the Honble Henry Sherburne Esqr 4½ Ream paper @ 181 ℔ Ream —	4,, 1
To Daniel Fowle for Imprinting £7000 ℔ Agreemt	7,, –
Expenses at the press 15/. Give the Boys 10/ —	1,, 5
Allowance to Mr Newmarch One of the Committee —	3,, –
do to Andrew Clarkson Another of ye Come —	3,, –
Sterlg —	£18,, 6 –

N. B. this 7000, Dated Jany 1, 1761

Portsmouth Feby 12th 1761 —

Errors Excepted ℔ Jos : Newmarch

Province of New Hampse } In the house of Representatives Feby 12th 1761

This Accot being Read —

Voted, That the Above Accot Amounting to Eighteen pounds Six Shillings Sterlg be Allowed & paid to the Honble Joseph Newmarch Esqr, or his order, Out of said Emission now In the Treasury

£18,, 6 A Clarkson Clerk

In Council Febry 13th 1760 —

read & Concurrd Theodore Atkinson Secry

Consented to B Wentworth

[5-50]

[Daniel Warner's account for "Building the House & Carrages &c at Fort William & Mary." — ED.]

[5-51]

[*Document in French relative to Ransoms of Vessels taken by French Privateers. Translated by Otis G. Hammond.*]

Memorial for the Sr Pecarrere, privateer of Bayonne.

That Count de Guerchy is charged by the Court with employing himself in the service of the British Ministry, to obtain the necessary orders addressed to the Governor of New England, to procure to Sr Pecarrere, privateer of Bayonne, the payment of two bills of ransom which are due to him from the proprietors of two English vessels of the said place, taken the 14th of April 1761 by the Frigate "l'Audacieuse," which he had armed for privateering, and of which he had given the command to Captain Veillon. The first of these prizes was the "Hampshire," Captain James Guppey, belonging to Sr James Garvin, merchant of the Port of Piscataqua in New England. The second, named the "Deborah," Captain Barthemy Gooning, belonged to Sr Henry Carter, merchant of the same Port.

The Captains ransomed their vessels by means of two bills, which they passed on Captain Veillon, one for the "Hampshire" of £300 sterling payable to Captain François at the rate of 24^{s} of France for a pound sterling; the other, for the "Deborah," of £500 sterling under the same conditions. For the security of these bills, each of them gave Captain Veillon a man from his crew. These hostages were taken to Capt. François, where they died, notwithstanding all the care which was taken for their welfare: Srs Garvin and Carter having ascertained this, have constantly refused and still refuse to pay the bills given by the Captains in their solemn agreements. All the solicitations made in regard to this, by Messrs Mesuieres and Clarisse, correspondents of Sr Pecarrere, have been useless and without effect.

The refusal of Srs Garvin and Carter is ill founded; it is not surely, the existence of hostages which confirms the validity of these bills of ransom. The receivers did not require the signatures to be witnessed, supposing that they could take the ransoms of the Captains, and the false indications which they could give in regard to their proprietors, as well as their place of residence. These are also the considerations for which the love of liberty made him interest himself in the payment of the ransom agreed upon, and in the paying themselves, in case of the insolvency of part of the proprietors. One would regard them on the same footing as the endorsers of a bill of exchange, whose death can neither destroy the validity of the engagement, nor retard the payment of it.

The Comte de Guerchy entreats his Excellency My Lord Halifax, to have the kindness to grant assistance to Sieur Pecarrere in obtaining the satisfaction which he has the right to expect, and in order to bring it about that he may, the Comte de Guerchy has gone to render to the Court an answer on that affair, which the Court has particularly requested him to do.

[5-52] [*John Sanborn's Certificate.*]

Stratham Febry ye 9th 1761 —

This is to Sartefie that mr John Sanborn on a Jorney to albany in Shearfield met with one Josiah Swett Belonging to Capt Jacob Tiltons Company in Co^ll^ Goffs Reg^t^ finding him in Destress Being Broak out with ye Small pox Lent him Three Dolars —

Atest pr me John Samborn

Province of New Hampshir } Stratham Febuary ye 9th 1761

Then The above Named John Sanborn Personally Appeared and Made oath to the truth of what is Above written; unto Which he has Subscribed his Name to be the truth and Nothing but the truth; —

Sworn Before me And^r^ Wiggin Justis Peace

[5-52] [*Petition of Moses Swett*, 1761.]

To his Excellency Benning Wintworth Esqr the Honble his Maj^ies^ Council & house of Representatives Convened —

The Pettion of Moses Swett humbly Shueth that he had a Son in the Lat Expedition which he fitted out with thing for the Sarvis, & on his Return home by the way of albeny in Shearfield was taken with the Smallpox & was met with by one John Samborn, finding him in want Lent him three Dolers and Got him into a house where he Sune after Died. Your Petitioner therefore humbly prayes that You would Make him Such a Lowence for the three Dolors & Loss of Close as You in You Great Wisdom Shall See Meet and Your Pettioner in Duty Bound Shall Ever pray —

Exeter Feby 1761 — Moses Swett

Province of New Hamps^e^ } In the house of Representatives Ap^l^ 21, 1761.

Voted that there be Allowed & paid to Moses Sweet or his order Eighteen Shillings Sterlg Out of mony In the Treasury for the Last

years Expedition & be In full of this petition for Doc^{rs} Bill p^{d} or Any other's Whatever on Acco^{t} of the Said Sweet
18^{s}/ Sterlg A Clarkson Clerk

In Council April 25th 1761
read & Concurrd Theodore Atkinson Sec^{ry}

Consented to B Wentworth

[5–53] [*Governor Wentworth's Proclamation.*]

By His Excellency Benning Wentworth Esqr Capt General Governor & Commander in Chieff in & over his Majestys Province of New Hampshire in New England

A Proclamation

His Majesty having Nothing so much at Heart, as by the most vigorous Prossicution of the War, to reduce the Enemy to the Necessity of Accepting a Peace, on Terms of Glory & advantage to his Majestys Crown & Beneficial in particular to his Subjects in America: And as Nothing can so effectually contribute to that great and Essential object, as the King's being enabled to Employ as immediately as may be, Such Part of the regular Forces in North America, as may be adequate to some great & Important Enterprise against the Enemy, and it being his Majestys Pleasure, that in order the better to provide for the full & entire Security of his Majestys Dominions in North America; and perticularly of his Majestys Conquests there, during the absence of Such Part of the regular Forces as may be Employd in s^{d} Enterprize; that this Government furnish two thirds of the men that were Employed the last Campaign. And whereas the Legislature of this Government, has resolved to Pay Five Hundred & Thirty four, able bodied & Effective Men, Officers included, to be employd in Securing his Majestys Conquests already made on this Continent, under Such Gen^{ll} officer as is, or may be Appointed by his Maj^{ty}, to take the Command of them til the fifteenth Day of November next if not sooner Dismiss'd

I do hereby Promise & engage, that all Such able bodied effective Men, as Shall enlist under Persons that recieve Beating orders from me, Shall be entituled to the following Pay, Gratuitys & rewards Viz

That each Non Commission officer & Private Soldier Shall receive Thirty Shillings Sterling as a Bounty, & after he passes Muster & before he Marches, a further Bounty of Two Pounds Ten Shillings Sterling to Provide himself with Cloaths and also a Blanket

and that each Private Shall receive Thirty Shillings Sterling ℔ Month Wages That they Shall not be detaind in the Service longer than the fifteenth Day of November next, and that Each officer & Private recieve one months Pay advance before Marching

And Further that no noncommission officer or Private that Shall Inlist & Proceed on Said Service Shall be Lyable to have his Body arrested Stayd or Imprisoned during the Continuance of Said Service upon mean Process or Execution for any less Sum than Ten Pounds Sterling due to one Plaintiff. —

That all that find Arms & bring them into the field, shall recieve for each firelock that is Spoiled or lost in Actual Service, twenty five Shillings Sterling.

and I hereby require all officers Civil & Military to use their utmost Influence in Encouraging & Promoting this Essential Service

Given at the Council Chamber in Portsm° the 23d Day of April in 1st Year of the reign of our Sovereign Lord George the Third by the Grace of God of great Britain France & Ireland King Defender of the Faith, &c B Wentworth

By his Excellencys Command
Theodore Atkinson Secry
God Save the King

[5–54] [*Petition of Nathaniel Thing*, 1761.]

Province of } New Hampshire } To His Excellency Benning Wentworth Esqr The Honourable His Majestys Council & House of Representatives — The Petition of Nathll Thing Humbly sheweth — That whereas said Nathll Thing Voluntarily Enlisted himself a Soldier in the Service of this Government & Served as such in the New Hampshire Regiment in Capt Marstins Company 1760 That on his return from said Service he was taken Sick at Keen with the small Pox & Ordered to a Pest House in Swanzey the Expence of which is in Account Exhibited herewith — Your petitioner Humbly prayeth your Honours to take into Consideration the Extra Expence of the Petitioner as ℔ acct may Appear & make him such Allowance as you in Your Great Wisdom shall think Proper — and Your Petitioner as in Duty Bound shall Ever pray —

Dated Exeter May 25th 1761 Nathaniel his + Mark Thing

Test Peter Gilman

Province of
New Hampshire } In the house of Representatives May 27 1761
This petition being read

Voted, That there be Allowed & paid to Nath[l] Thing or his ord[r] five pounds ten Shillings Sterlg out of mony In the Treasury for the last years Expedition, & be In full for this petition & the Account herewith presented. A Clarkson Clerk

£5,, 10/ Sterlg

In Council June 2[d] 1761
read & Concurrd Theodore Atkinson Se[ry]

Consented to B Wentworth

[5-56] [*Petition of Joseph Swett.*]

To His Excellence the Govener Benning Wintworth Esq[r] Captain Genereal and Commander in Cheaf in and over his Majesty Province of New Hampshir in New England and to his Majestys Honoreble Council and Genereal Assembly Convend at Portsmouth your Potisinor Humbly Sheweth that he was in his Majestys Serves at Crown Point the Last years Campain in Cornel John Gouff Esq[r] Rigement and Carried with me a horse and Left him at the Block house at Wintworth ferry so Called and that on the fall Major Samuel Gerrish was ordred from Crown Point with inveleads from Every Rigement of Provincials for the Block house and when Major Gerrish arrived at the Block house there was many men Left in the Woods unable to travil among them was Left Jeremiah Davis of Captain Jacob Tiltons Company for which Major Gerrish ordred Ensign Berry to Send a horse for Said Davis and he Did Send mine and She was Lost in that Serves which Will appear by Timothy Blacke Dipposion

I Humbly pray that your Honours will take this under your wise Consideration and Do as in your Grate Wisdom Shall think Proper and I as in Duty Bound Shall Ever pray

Joseph Swett

[5-57] [*Deposition of Timothy Blake, Jr.*]

Timothy Blake jn[r] of Hampton falls of Lawfull Age Testifies and Says That he this Deponent being a Soldier in the Service of this Province the last fall About the beginning of Octob[r] According to

the best of his Remembrance he was at Wentworths ferry so Called on Connecticutt River, And Ensign Joseph Swett had a horse there under the Care of Ensign Berry And this Deponent well Knows that Majr Saml Gerrish Borrow'd said Horse of said Ensign Berry in Order to go and Bring one Jeremiah Davis belonging to Captt Tiltons Company who was unable to travail Down to Connecticutt River: and said Horse was Sent for to bring said Davis But the Horse was lost in that business And Could not be found while this Deponent tarried there or Since that he has heard of But Was looked upon by all that were there to be Wholly lost timothy Blake ju

Province of New Hampse } May 26, 1761 Then Timothy Blake jur made Solemn Oath to the truth of the Above Deposition by him Subscribed Before Meshech Weare Juse of Pea

[Endorsed] Voted dissmissed June 18, 1761.

[5–58]

[Petition of Ephraim Wentworth for allowance for gun and clothes lost by his son Grant, and for expenses of his son's sickness. Allowed five pounds, eleven shillings, and one penny sterling, May 28, 1761. — Ed.]

[5–59] [*Petition of Samuel Hobart.*]

To his Excellency Benning Wentworth Esqr Captain Genll Commander in chief in & Over his Majestys Province of New Hampshire, The Honll his Majestys Council, and House of Representatives

The Petition of Samuel Hobart humbly shewth That your petitioner was in this Province service in the year 1759 purchas'd himself a horse to carry his necessary baggage to the army, & upon the march lost him, & towards the close of the Campaign, your petitioner was taken sick at Oswego when the Regt was discharg'd, they brot him to Albany where they left him Incapable of helping himself by reason of sickness, after your petitioner recruited so as he was able to ride tho't it best to buy a horse which he did, and proceeded homewards, was not able to ride more than Eight or nine miles in a Day, coming thro' the green woods, your petitioner mist his way, mir'd his horse, & was oblig'd to leave, & Finally lost him, not being able to Travil

was obligd to-hire a man & horse to bring him to his own house and was sick three months after he came home —

Wherefore your petitioner humbly prayeth your Excy and Honours would grant him something for his Loses and Necessary Charges & Expences, and he, as in duty bound shall ever pray —

Samuel Hobart

Province of New Hampse } In the house of Representatives May 29th, 1761 — This petition being Read —

Voted That there be Allowed & paid to Mr Saml Hubbert or his order two pounds four Shillings & Tenpence Sterlg out of mony In the Treasury for the Last years Expedition & be In full of said petition

44s/10d

A Clarkson Clerk

In Council June 2d 1761
read & Concurrd

Theodore Atkinson Secry

Consented to

B Wentworth

[5-60]

[Petition of Hezekiah Ward, of New York, sutler to Colonel Goffe's regiment, asking that the sum of £76. 5. 2 sterling due him from deserters be paid him by the Province. Granted June 2, 1761. — Ed.]

[5-62] [*Petition of Mast Contractors.*]

Province of New Hampshire } To his Excellency Benning Wentworth Esqr Governour of sd Province — the Honourable his Majesties council and assembly of the same in general court assembled Portsmouth

The Petition of the subscribers Humbly sheweth That some of us have for several years past & are now under contract to furnish masts yards & Bowspritts towards supplying his majesties Navy & others of us Employed & Interested in the sd service — that we have met with great losses from Time to Time in endeavouring to transport ye same down merrimack River by reason of the several Falls & Rocks which render ye sd Transportation both costly & hazardous that it would be, as we Apprehend of great & general advantage not only to ourselves but the Publick that the complained of obstructions might be removed towards Effecting which several of us have done considerable

by blowing away part of some of the most prejudicial Rocks but for want of further Ability we have been forced to desist & leave ye matter but barely attempted & far from being prosecuted to a sufficient degree to Answer ye End For remedy whereof we Humbly pray that a Lottery may be Authorized by this government under ye direction & management of such persons & subject to such regulations as your Excellency & Honours shall see meet to appoint & that a moderate proportion of ye moneys the several Tickets may sell for may be appropriated & applied to the sd Purpose & your Petitioners as in Duty bound shall ever pray

Peter Coffin	John merrill	Thomes Easmen
Jeremiah Eastman	James Cochran	John Steel
Willm M^c^Ilvaine	Dainel foster	Samuel osgood
Ebene Hall	Joseph Easman	Benjmain osgood
Richard Hasseltin	Benj^a^ Rolfe	Epram Carter
Joseph Hall	Ezra Carter	Ebenezer virgin
Moses Merrill	Jeremiah Stickney	Joseph Eastman
Eliphilet Danford	George Abbott	Jonathan fifield
Samuel Martaine	Jacob Shutz	John Webster Junr
William Peters	John Fife	Moses Eastman
John Martain	David Evens	Timethey Bredley
Thomas Saltmarsh	Benjamin Easman	Nathaneel Eastman
John Webster	Benjamin fifield	Timothy walker

[Endorsed] Voted dissmissed June 18th 1761 —

[5–63] [*Bill for Victualing Soldiers at Sudbury in* 1757.]

Those men whose names are under writen Eat at the house of Mr Jona: Rice, Inholder in Sudbury on their return from Fort Willim Henery after it was in the frenches Possession in August 1757

Robert Drout	Samuel Darlen	Joseph Wormwood
Mark Laton	Elemuel Tricke	Robart Morrel

In Col^o^ Goufe's Regiment in Capt Moore's Compeny.

These are Newhampshear Souldrs

Joshua Webstur	Joseph Kille	John Crocket
Jonathan Bartlet	Obdiah Davis	Asahel Harriam
Jonathan Heath	William Heath	Abal Hadly
Nathan Gile	Benjimine Heath	Samuel Hilton
Moses Folinsbe	Jediah Pete	Jonathan Smith
Ebenezer Eaton		

To Col^o^: Goufes Regiment in Capt Jacob Baleys Compeny.

Hezeciah Swain Samuel Hardy Daniel Darlin
John Darrlin

In Colo : Goufe's Regiment in Capt Richard Emerys Comp :
A true Copy of the account
by Rebecah Rice Book keepr

To Magr : Gillman

[Endorsed] Robert Rice acc't — ordered to lay June 19th 1761

[The men were charged for "one meal 0. 0. 6" each. — Ed.]

[5-64] [*Instructions to Governor Wentworth.*]

Instructions from King George 3d to Benning Wentworth Govr of New Hampshire. — Dated June 30th 1761.

1. — To take upon him the Government & call together the Council, vizt Theodore Atkinson, Richard Wibird, Saml Smith, John Downing, Sampson Sheaff, Daniel Warner, James Newmarsh, Mark Hunking Wentworth, James Nevin, William Temple, John Nelson, and Henry Apthorp Esqrs —

2. — The Govrs Commission to be published and he and the Council to take the Oaths, & subscribe the Declaration.

3. — The Govr to administer (or cause it to be done) the Oaths to all Members & Officers of Council & Assembly, Judges, & all Persons holding Places of Trust or Profit, — & cause them to make & subscribe the Declaration : — without which they are not to be admitted into any public office.

4. — The Govr to communicate to Council such of these Instructions wherein their Advice & Consent are mentioned to be requisite, "as likewise all such others from time to time as you shall find convenient for our Service to be imparted unto them."

5. Council to have Freedom of Debate. —

6. Though three of the Council are mentioned in the Commission to be a Quorum, the Govr is not to act with less than five except upon extraordinary Emergencies.

7. A Vacancy happening in Council the Govr is to transmit to the Commissioners for Trade the Names of three Inhabitants of the Province "whom you shall esteem the best Qualified for that Trust."

8. When the Govr supplies any Vacancies in Council (as his Commission allows) he is to send their Names & Qualities to the Commissrs for Trade, to be laid before the King.

9. In the Choice & Nomination of all Officers "you are always to take Care that they be men of good Life, well affected to our Government, & of Abilities suitable to their Employment."

10. The Govr not to augment or diminish the Number of the Council; — not to suspend any Members without good Cause & the Consent of the Majority of Council, signified in Council, after due Examination; — in Case of Suspension, the Gov^{rs} Reasons for it, — the Charges & Proofs, — & the Counsellor's Answers, to be entered in the Council Books; & Copies transmitted to be laid before the King. — But if the Govr has Reasons for suspending a Counsellor, "not fit to be communicated to the Council" he may suspend him "without their Consent," sending the Commiss^{r} for Trade an Acco^{t} of it, with his Reasons, to be laid before the King.

11. Any Member of Council absenting himself from the Province for more than a Twelvemonth, without Leave from the Govr under his hand & Seal; — or remaining absent two years without Leave "under our Royal Sign Manual," his Place shall thereupon become void. If he absents himself from Council without just Cause, after being summoned & persists in it after Admonition, the Govr may suspend him.

12. "You shall take Care that the Members of the Assembly be elected only by Freeholders, as being more agreeable to the Custom of this Kingdom, to which you are as near as may be to conform yourself in all Particulars."

13. Salaries of Members of Assembly to be reduced to such a moderate Proportion as may be no Grievance to the Country. —

14. A Letter of Summons to a Counsellor, signed by the Govr or Secretary, to be as binding as a Writ is in common Cases; & if they neglect to comply with it, except only in Times of General Assembly, then to be liable to the ordinary Forms of common Process.

15. No Protection from Arrests allowed to a Member of Assembly further than in his Person, and that only during the Session of the Assembly; — & the Assembly not to adjourn themselves, except de die in diem, without Leave from the Govr —

16. "You are to observe in the passing of all Laws that the Style of enacting the same be by the Governor Council & Assembly; You are also as much as possible to observe in the passing of all Laws, that whatever may be requisite upon each different Matter be accordingly provided for by a different Law, without intermixing in one & the same Act such Things as have no proper Relation to each other; and you are more especially to take Care, that no Clause or Clauses be inserted in or annexed to any Act which shall be foreign to what the Title of such respective Act imports; and that no perpetual

Clause be part of any temporary Law, and that no Act whatever be suspended, altered, revived, continued, or repealed, by general Words, but that the Title and Date of such act so suspended, altered, revived, continued, or repealed, be particularly mentioned and expressed in the enacting Part."

17 — The Govr not to give his Assent to any Law enacted for a less Time than two Years, except in particular Cases, — not to enact any Law to which the Royal Assent has been once refused, without express Leave; — nor give his Assent to the Repeal of any Law passed in his Governm^{t} unless it contains a Clause suspending its Execution until the Royal Pleasure be known.

18. No Bill of an extraordinary Nature to be passed without a Clause suspending it as above. "And it is our Express Will & Pleasure, that no Duty be laid in the Province under your Government upon British Shipping, or upon the Product or Manufactures of Great Britain; and that you do not upon Pain of our highest Displeasure give your Assent to any Law whatever wherein the Natives or Inhabitants of New Hampshire may be put on a more advantageous Footing than those of these Kingdoms."

19. No private Act affecting the Property of private Persons to be passed without a Clause saving the Right of all others, — & another suspending it as above. — The Govr not to consent to private Acts, until Proof be made before him in Council (& entered in the Council Books) that public Notification was made of the Partie's Intention to apply for such Act, "in the several Parish Churches where the premises in Question lye, for three Sundays at least successively" —

20. In all Acts for levying Money or imposing Fines or Penalties, express mention to be made that they are granted or reserved "to Us our Heirs and Successors, for the public uses of that Province, & Support of the Government thereof as by the said Act shall be directed." — The Govr not to pass any Act whereby the Revenue may be lessened "without our especial Leave or Commands therein."

21. The Govr not to suffer any public Money to be issued otherwise than by Warrant under his hand, by & with the Advice & Consent of the Council; "But the Assembly may nevertheless be permitted, from time to time, to view & examine the Accounts of Money or value of Money disposed of by Virtue of Laws made by them, which you are to signify unto them, as there shall be occasion."

22. "You are not to permit any Clause whatsoever to be inserted in any Law for levying Money or the Value of Money, whereby the same shall not be made liable to be accounted for unto Us, & to our Commissioners of our Treasury, or our high Treasurer for the Time being, and audited by our Auditor General of our Plantations or his

Deputy for the Time being, And We do particularly require & enjoin you upon pain of our highest Displeasure to take Care that fair Books of Accounts of all Receipts & Payments of all public Monies be duly kept, and the Truth thereof attested upon Oath, & that the said Books be transmitted every half year, or oftner, to our Commissioners of our Treasury, or to our high Treasurer for the Time being, and to our Commissioners for Trade & Plantations & Duplicates thereof by the next Conveyance, In which Books shall be specified every particular Sum raised or disposed of, together with the names of the Persons to whom Payments shall be made, to the End We may be satisfied of the right and due Application of the Revenue of the said Province, with the Probability of the Increase or Diminution of it, under every Head or Article thereof."

23. "And it is our express Will & Pleasure that no Laws for raising any Imposition on Wines or other strong Liquors be made to continue for less than one whole Year, as also that all other Laws made for the Supply & Support of the Government shall be Indefinite and without Limitation, except the same be for a temporary Service & which shall expire & have their full Effect within the Time therein prefixed."

24. "Whereas several Inconveniences have arisen to our Governments in the Plantations by Gifts & Presents made to our Gov^{rs} by the Genl Assemblies ; You are therefore to propose unto the Assembly at their first Meeting, and to use your utmost Endeavours with them, that an Act be passed for raising & setling a Public Revenue for defraying the necessary Charges of the Government of the said Province ; And that therein Provision be particularly made for a competent Salary for yourself as Govr & Commander in chief of the said Province, & to other succeeding Governors & Commanders in Chief, for supporting the Dignity of the said Office, as likewise due Provision for the contingent Charges of the Council and Assembly, and for the Salaries of the respective Clerks, & other Officers thereunto belonging as likewise of all other Officers necessary for the Administration of that Government. And particularly that such Salaries be enacted to be paid in Sterling or Proclamation Money, or in Paper Bills of Credit current in that Province, in proportion to the Value such Bills shall pass at in Exchange for Silver, that thereby the respective Officers may depend on some certain Income, & not be liable to have their Stipends varied by the uncertain Value of Paper Money ; And that in such Act all officers Salaries be fixed to some reasonable yearly Sum, except the Members of the Council & Assembly, and the Officers attending them, or others whose Attendance on the public is

uncertain, who may have a reasonable Pay established per Diem, during their Attendance only; and when such Revenue shall have so been settled & Provision made as aforesaid, then our express Will & Pleasure is, that neither you the Governor, nor any Govr Lieu^{t} Govr Commander in Chief or President of the Council of the said Province of New Hampshire for the Time being, do give your or their Consent to the passing of any Law or Act, for any Gift or Present to be made to you or them by the Assembly, & that neither you nor they do receive any Gift or Present from the Assembly on any Account or in any Manner whatsoever upon Pain of our highest Displeasure, & of being recalled from that Government." —

25. The Act of Queen Anne for ascertaining the Rates of foreign Coins in the Plantations to be punctually observed & executed.

26. The Govr not to consent to any Law "whereby the Natives or Inhabitants of the Province of New Hampshire — may be put on a more advantageous Footing than those of this Kingdom, or whereby any Duties shall be laid upon British Shipping, or upon the Product or Manufacture of Great Britain upon any Pretense whatsoever."

27. — "It is our Will & Pleasure that you do not give your Assent to or pass any Law, imposing any Duties upon Negroes imported into our Province of New Hampshire, payable by the Importer, or upon any Slaves exported, that have not been sold in our said Province & continued there for the Space of Twelve months. It is our further Will & Pleasure that you do not give your Assent to or pass any Act whatsoever, for imposing Duties on the Importation of Felons from this Kingdom into New Hampshire."

28. Authentic Copies of Laws to be transmitted within 3 months after their being enacted — for "our Allowance or Disapprobation of the same."

29. Laws transmitted to be fairly abstracted in the Margin: — the Govr to be explicit in his Observations upon the Laws — & to send the Reasons for passing them. —

30. The Secretary to furnish Transcripts of Laws & Copies of the Journals of Council to be transmitted.

31. The Clerk of the Assembly to furnish Transcripts of all Journals & other Proceedings of the Assembly, to be transmitted.

32. The Govr to examine what Duties are payable on Goods imported, — to suppress the engrossing of Commodities, & to improve Trade by setting proper Regulations with Advice of Council; — to send to England yearly or oftner a particular Account of all Laws which have been passed, Manufactures set up, or Trade carried on, "which may in any wise affect the Trade & Navigation of this Kingdom."—"And it is our express Will & Pleasure, that you do not

upon any Pretense whatever, upon Pain of our highest Displeasure, give your Assent to any Law or Laws for setting up any Manufactures and carrying on any Trades which are hurtful and prejudicial to this Kingdom, and that you do use your utmost Endeavours to discourage, discountenance, and restrain any Attempts which may be made to set up such Manufactures or establish any such Trades."

33. The Govr to call a Court of Exchequer as often as may be needfull, & inform "whether our Service may require that a constant Court of Exchequer be settled & established there." (The Business of this Court was to recover the King's Duties.) E. H.

34. No new Court of Judicature to be erected nor one already established to be dissolved.

35. Justice to be administered impartially & without Delay.

36. Appeals to be allowed — from the inferior to the supreme Court, consisting of Govr & Council, — & from them to the King in Council in Cases in which the Sum exceeds £500 Sterling.

37. Appeals to the King in Council to be permitted in Cases of Fines imposed for Misdemeanors, provided the Fines amount to £100 Sterling.

38. The Govr may not remit any Fine above the Sum of £10, nor dispose of any Forfeitures without the King's Directions.

39. Forfeitures or Escheats not to be disposed of until the Sheriff, with a Jury, have enquired into the Value of them &c. —

40. The Govr not to appoint any Person to be a Judge or Justice of Peace without the Advice & Consent of at least three Members of Council in Council ; — nor may he execute either of those Offices personally or by Deputy. The Commissions for them to be during Pleasure.

41. The Govr not to displace any Officer without good & sufficient Cause

42. "You shall not suffer any Person to execute more Offices than one by Deputy."

43. The Govr with Advice of Council to regulate all Salaries & Fees ; — Tables of fees to be hung up in Offices, — & Copies of them sent to England.

44. Absentees executing Offices in the Province by Deputy the Govr to enquire into the Capacity of the Deputies, and represent what he thinks fit to be done ; — to suspend for Misbehaviour, &c —

45. Govr not to grant or dispose of any Place usually granted under the Great Seal of England, or Warrant from the King.

46. Officers of Customs not to serve on Juries, in the Militia, or Parochial Offices.

47. The Govr may appoint a Collector of Customs in Case &c.

48 — "the Surveyor Gen[l] of our Customs for the Northern District, & the Surveyor Gen[l] of our Customs for the Time being to be Councillors extraordinary in our said Province." If the Surveyor Gen[l] should happen to become Senior Counsellor, he shall not take upon him the Administration of Government, in Case of the Death or Absence of the Gov[r] but it shall devolve upon the next senior Counsellor.

49. Surveyors of Land to be appointed & sworn — "and you shall likewise take Care that a general Survey be made of all our said Province, and of each County, with the several Plantations and Fortifications on it, & that an exact Map or Maps thereof be transmitted to our Commissioners for Trade & Plantations."

50. The Gov[r] to transmit to England a particular Account of all "Establishments of Jurisdictions, Courts, Offices and Officers, Powers, Authorities, Fees & Privileges" in the Province; &c —

51. Townships to be established on the Frontiers — each to consist of about 20,000 Acres — not to exceed six Miles square — in each a proper Place to be laid out "for the Scite of the Town itself, where any Planter, besides 50 Acres of Land for each Person in his Family, shall have set out a Lot or Footland for a Town House, & that no Town be set out, or any such Lands or Lots granted until there be 50 or more Families ready to begin the Settlement, & so soon as any such Township has got one hundred or more Families settled therein, it shall have and enjoy all the Immunities & Privileges as do of Right belong to any other Parish or Township in the said Province."

52. No Lands to be granted under a less Quit Rent than 1/ Proc[n] for every 100 Acres, except for the first ten Years, during which Time no Quit Rent is to be paid — "In all Grants of Land a Clause to be inserted to reserve all white or other Sort of Pine Trees fit for Masts, of the growth of 24 Inches Diameter and upwards at 12 Inches from the Earth, to Us our Heirs & Successors, for the Masting our Royal Navy, and that no such Trees shall be cut — without our Licence — on Penalty of the Forfeiture of such Grant, & of the Land so granted reverting to the Crown; & of all other Pains and Penalties as are or shall be enjoined or inflicted by any Act or Acts of Parliament passed in the Kingdom of Great Britain" — Another Clause to be inserted "to oblige the Grantee to settle plant & cultivate, at least three Acres of Land in every 50 Acres, so granted, in five Years after the Date of his Grant, & to continue such Settlement & improve the same by additional Cultivation, on Penalty of the Forfeiture of his Grant & of the Lands reverting to Us, to be regranted to such as will effectually plant & cultivate the same."

53. No Grants of Land to " be made to any Person but in Proportion to his Ability to cultivate the same, & that proper Clauses be inserted for vacating the said Grants on failure of Cultivation, or Payment of Quit Rents reserved thereon ; & you are hereby directed not to grant to any Person more than fifty Acres for every Man, Woman or Child of which the Grantees Family shall consist at the Time such Grant shall be made."

54. The King's Share of the Forfeiture incurred by Persons destroying the Woods, to be given to the Informer.

55. The Govr to report Tracts of Land fit for Nurseries for Masts.

56. Acts of Parliament for preserving his Majesty's Woods to be strictly complied with.

57. The Govr to act as Vice Admiral.

58. Admiralty Fees to be the same as in Great Britain.

59. Commissions for Privateers to be such as those given in England.

60. In all Matters relating to Pirates, the Govr to regulate himself by Law & his Commission.

61. The Govr (as Vice Admiral) to account with the Receiver Genl of the Admiralty for Monies received.

62. "You shall permit a Liberty of Conscience to all Persons (except Papists) so they be contented with a quiet & peaceable Enjoyment of the same, not giving Offence or Scandal to the Government."

63. "You shall take especial Care that God Almighty be devoutly & duly served throughout your Government, the Book of Common Prayer as by Law established, read on each Sunday and Holliday, and the Blessed Sacrament administered according to the Rites of the Church of England."

64. " You shall be careful that the Churches already built there be well & orderly kept, and that more be built as the Province shall by God's Blessing be improved, and that besides a competent Maintenance to be assigned to the Minister of each Orthodox Church, a convenient House be built, at the common Charge, for each Minister, and a competent proportion of Land assigned him for a Glebe and Exercise of his Industry."

65. " You are not to prefer any Minister to any Ecclesiastical Benefice in that our Province without a Certificate from the Right Revd Father in God the Lord Bishop of London, of his being conformable to the Doctrine & Discipline of the Church of England, & of a good Life & Conversation, & if any Person preferred already to a Benefice, shall appear to you to give Scandal, either by his Doctrine or Manners, you are to use the proper and usual Means for the Removal of him."

66. Every "orthodox Minister" to be one of the vestry in his own Parish, & no vestry to be held without him, except in case of Sickness, or his omitting to attend after being summoned.

67. "You are to enquire whether there be any Minister within your Government who preaches & administers the Sacrament in any orthodox Church or Chapel, without being in due Orders, and to give an Account thereof to the said Lord Bishop of London."

68. "And to the End the ecclesiastical Jurisdiction of the said Lord Bishop of London may take Place in that Province, so far as conveniently may be, We do think fit that you do give all Countenance & Encouragement to the Exercise of the same, excepting only the collating to Benefices, granting Licences for Marriages and Probate of Wills, which we have reserved to you our Governor & Commander in Chief of our said Province for the Time being."

69. "We do further direct that no Schoolmaster be henceforth permitted to come from England, & to keep School in the said Province, without the Licence of the said Bishop of London, and that no other Person now there or that shall come from other Parts, shall be admitted to keep School in that our said Province of New Hampshire without your Licence first obtained."

70. A Table of Marriages established by the Canons of the Church of England to be hung up in every orthodox Church & duly observed, & the Govr to try to get a Law passed (if not already done) for the strict Observation of the said Table.

71. Laws to be passed for the punishment of Blasphemy &c. &c. & vigorously executed. — Schools to be erected — & the Conversion of Negroes & Indians encouraged.

72. An Acco^{t} of the present Number of Inhabitants to be sent to England, & of their Increase & Decrease annually, — and how many are fit to bear Arms.

73. All "Planters Inhabitants & Christian Servants" to be well provided with Arms, — listed under good Officers, — & trained as often as thought fit.

74. Great Care to be taken that Trainings &c be not an unnecessary Impediment to the Affairs of the Inhabitants.

75. Martial Law not to be executed upon the Inhabitants without Advice of Council.

76. Govr to recommend to the Assembly a Law for punishing Mutiny & Desertion amongst the Soldiers in Pay. —

77. Govr to transmit an Account of all Forts & Fortifications built, or necessary to be built, — Arms, Ammunition & Stores belonging to the Province — these Accounts to be very particular. —

78. Storehouses to be built for keeping Arms &c.

79. An Account to be transmitted informing how the Act about Powder Money has been executed — what Quantities have been annually collected for the last 7 years — & Govr to see that the Duty be well collected in future — & to transmit every six Months an Acco^{t} of Powder collected.

80. The Govr to cause an exact Survey of all Harbours to be made, & with Advice of Council to erect Forts in them, & to move the Assembly to pass proper Laws for the Purpose.

81. To assist other Plantations upon Application from their Gov^{rs} in Case of Distress.

82. Govr to signify to Merchants &c, to be very cautious in Time of War how they give any Account to their Correspondents of the Condition of the Province; — and to direct Masters of Vessels by whom he sends his Letters to have them always ready for sinking.

83. Govr to endeavor to hinder all Trade & Correspondence with the Enemy in Time of War.

84. Govr to send from time to time an Account of the Wants & Defects of the Province — what are its chief Products — what new Improvements are made, or may be made — or advantages gained by Trade — & how "We may contribute thereunto."

85. Govr may do any Thing for the advantage of the Province, with Advice of Council, — but not make War without the King's particular Command; except it be against Indians upon Emergencies; the Council consenting.

86. Govr not to go to England without Leave.

87. Govr being absent, & no Lieu^{t} Govr appointed, the eldest Counsellor to preside, but not to pass any Acts except such as are immediately necessary, without the King's Order, — nor to dissolve the Assembly, — nor remove or suspend any Counsellor or other Officer without Advice of at least seven of the Council.

88. The Govr being absent one half of his Pay & Perquisites to belong to the Person administering the Government in his Absence.

89. All possible Encouragement to be given to the Fishery.

90. Govr to transmit particular Accounts of all his Proceedings.

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 175.]

Portm^{o} N Hamp^{r} August 19th 1761

Sr Your last favour informed us of the order that all Officers were to renew their Commissions &c^{a} & twas kind & I am Obleedged to

you for takeing care to renew my Mandamus as one of his Majtys Council Sure I am in doubt weither I Should have done as much my Self had I been with you as I find much Trouble & Little Profit in that office

You mention also your being calld upon to renew my Pattent for Secry of this Province this has Occasioned my mentioning that Affair to Govr Wentworth tis a Post I have long wished to be Clear of & he now only waits the arival of his New Comission when he Proposes to grant a Comission of Secretary to my Son and told me he would write you to get him Somehow confirmed at home I would by no means have him be at the Expence of a Pattent unless that office was Attended with more Proffit for the future than it hath been in Time Past but if ye fees for taking out the Comission are Light I should be Obleedged (if you would enquire & the Solicitation is not too Troublesome you would obtain it for him — Mr Nevin who will deliver you this has often mentioned this Affair & thinks it might be more Proffitable than here to fore and as he perfectly knows my & my Sons Mind in the Premisses he will be kind enough to Inform you of our Sentiments without my Troubling you with any further Perticulars to him give me leave to referr you & believe me with much Esteem

Your most obleedged Humble Servt

P S I hope to forward Proe Accots of Expence at the reduction of Canada by this fleet

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[*Atkinson and Wentworth to Thomlinson.*]

[Belknap Papers, Vol. I., p. 175½.]

Portsmo New Engd Octr 28th 1761

Sir We are appled to by Messr Daniel Peirce, Clement March — and Daniel Rindge for a Letter of Credit upon London to defrey the Expence of an appeal to His Majesty in Councill from our Superior Court in Cause whereof they have the Management & Direction as being Agents for the Proprietors of a Town called Bow in our Prove against one Rolfe and others. And according to their request We pray the favour of you to advance on that behalf Such Sums of money as the Exigency of the cause may require for which we will be answerable

We are Sir Your most Obedt & hble Servants

Theodore Atkinson

Mark H G. Wentworth

John Thomlinson Esq.

[*Nevin to Atkinson.*]

[Belknap Papers, Vol. I., p. 176.]

London Novr 14th 1761

Dear Sir

in my last to your Son I promised to write my Next to you, which I am Not as yet furnished with Materials for Doing, However as the last Vessel for this Season Sails this week, I would not Omitt writting to my 2^{d} Best friend in this world.

The Day after that which Mr Thomlinson wrote to the Gover^{r} Concerning your Son, I arived at Barnet. He Shew me the Copy of that Let^{r}, & thought he had Done right. He Alledged the Dearness of the Patten because he had pay'd £190 for the renewal of his Own Patten for the Lordship Of the Manner he Lives in, & Alledged Our pople were too Poor to pay the Fees of Such an Office, He Soon Saw y^{t} this reasoning was wrong, & Agreed with me to Mete him At the Treasury Next Board Day, where he had Not been but Once in Six months, as he told me, & that he Could get the Affair Done for Asking, this I Doubted, but Said Nothing, Only Begged that he would not Mention it to any Body But Lord Egermont or Lord Sands, we Mete & went into The waiting room together, he Sent for Mr Pownall, I then Went Down to the Coffe house where he was to Come & give An Acco^{tt} of His Success, He Came in an Hour & told me that it was Agreed the Young man Should Keep the Office as it was, & that if he was any ways made Uneazie in it, that he Should have a Patten at any time. I was Not Pleased but Said Nothing, I then went back to the Office & Could not Find that he had Seen any Body but M^{r} P^{ll}, I must Soon wait On Mr Pownall & Shall than hear more of it & will Again bring it About Sr William Stanope is my Friend that I never Askt any favour of, he is intimate with Ld Egermont I am Shure he will not refuse me, it is Said that the Board of trade Has Lost all its power & it is Said I Beleve with truth, that Ld Egermont as Mr Pitts Succesor Does not Chuse to Doe Much But I hope by Christmas all will be Setled, & we Shall Know Where to Apply. Good Old Mr Tomlinson is Very much Broken Down & Past his Labour, I wish you may think of his Son For Your Agent, he is now Sick at Bath but upon the recovery

I find your Assembly Sent their Address to His Majestie & am told Mr Pitt was Soe Busie that he Orderd it to the Ld Bute Whoe read it, & Askt if their was Noe Govr in the Province, upon Being told there was, refused Presenting it in A time of Harmony & Unanimity as he Exprest it. Pray D^{r} S^{r} is Your Opinion Or the Governours rightest of H : Sherbourn.

The N : Hampshire Address is not yet presented but will be Soe Soon As Young Mr Tomlinson Comes to town.

Ill will, Had Caryed A Report to the Offices that the Govr had Maried A Dirty Slute of a Maid, I was Askt About it by pople of Figure. I told it as I think it really was. & the Govr was Aproved of I Often See my Ld Mason. He is noe Changling, I have been much Diverted With him, he is Making out Instructions for his Bror Tufften whereby He is to turn all the Pople off his Land in the Maschatts as he Says he Never Dockt the Entail, & About Another thing for a Gentn in your Province more Merry than that, which I hope to Devert you with.

As all the papers is Soe full of Mr Pitt I need Say nothing About him Only that I am Convinced he will have the Brightest Character on the English Annells, I hope the pople will let him Injoy his Honest Mind, & noe more Drage him on the Stage, we are left with A Good King & Free Parliment, all is tired of A German war & Sums Determined to have Done with it, which must bring on A Peace for Reasons you Know.

Your Agent Tells me that two Gentlemen has Contracted To Supply Masts from Conecticut river I have noe Opinion of yt Undertaking, that they will fall throu, I beleve, & wish, for the Sake Of Mr Mark.

Poor Barons has had A tryal of three Days at the Board of Customes, Most pople thinks he will be Cast, not knowing the Case, all the Complaints Against him would make A Volume in folio. his Justification is in 2 Sheet of Large Post, Close wrote, I am not of Opinion that he will Be Dismised, Althoe a Genn tells me that he is promised to Succeed Him. the Board has Wrote to Mr Temple that he may Report upon His Case ; but it Seems Some person is in Such A Hurry to get the Office, that they will not wait for the report, Soe I hope in the End baulk Themselves, I ask Pardon for taking up your time, Pray Give my Love to Your Lady & Son & Believe me in Sincearity & truth to be Your Obledgd & Most Obedt Humble Sert Jas Nevin

Novr 17 Mr Barons affair is not yet Done. A Petition from Many Gentle Men in Bosten is Just Come to Hand. The Govr Barnet in his Letr to the Board Says that all the Petitioners are Rascals & Smuglers This has Occasioned the Board to Send for The Marchts of Reputation here, to know the truth of the Goverrs Assertion, The Board has been 9 Days One this Affair, & had Scense of iniquity Opened to their Sun. it was Said Barons friends had Deserted him but I beleve noe further then they Ought. I mean to Stand or fall

by his own Merits — He may be removed from Bosten, but I Belive he will be Provided for Dr Sr Dont you think the Flame which is Kindled at the Board here, will Return to NewEngland & Scorch Some Body

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[5–65] [*Commission to Administer Oaths.*]

George The Third by the Grace of God of Great Britain
Seal France and Ireland King Defender of the Faith &c
To Our Trusty and Well Beloved Theodore Atkinson, Richard Wibird, and John Downing Esqrs or any two of them

Know Ye That We reposing Especial Trust and Confidence in Your Loyalty Ability and Integrity — Have (by and with the Advice of Our Trusty and Well Beloved Benning Wentworth Esqr Our Governor Captain General and Commander in Chief in and Over Our Province of New Hampshire in North America) Authorized and directed And by these presents Do Authorize and direct You the said Theodore Atkinson Richard Wibird and John Downing or any two of you to Administer to Each of the Assembly as are or shall be returned by Our Sheriff of Our said Province to Serve in General Assembly, the Oaths appointed to be taken instead of the Oaths of Allegiance and Supremacy, and so toties quoties untill all the said returned Members have taken the said Oaths, And you are to Cause them respectively to Subscribe the Test and Declaration, Of all which you are to make Return into the Secretary's Office of Our said Province —

In Testimony whereof We have Caused the Seal of Our said Province to be hereunto affixed Witness Our aforesaid Governor Benning Wentworth Esqr the Twenty Eigth day of January in the 2d Year of Our Reign Annoque Domini 1762.

By His Excellency's Command — } B Wentworth

Theodore Atkinson Secry

[5–66] [*Notification in Regard to Court of Inquiry*, 1762.]

Province of
New Hampshire

It haveing been Represented to His Excellency The Governor, that divers of the Captains of Colonel Goffs Regiment in the year

1760, after they had recieved the full amount of their respective Companys billeting some had unjustly detained it from their men, others had paid them a part, & taken receipts in full, for the whole in order therefore to redress this Grievance so highly Injurious to His Majestys Service, I am directed by His Excellency to Acquaint the above Said Captains that unless they forthwith produce fair, & upright discharges from their men, a Court of inquiry will be appointed to examine & enquire in this Scene of dishonesty, in the mean time all Such officers and Soldiers as have been defrauded, are directed to lodge a list of their Names in the Secretary's office as soon as may that Justice may be done them — T A S^{y}

Portsm^{o} March 1762

Mr Secretary

The above Notisification is to be in Mr Fowls fryday paper & Sign'd by you ℔ my order B Wentworth

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[5–67] [*Petition of Three Soldiers*, 1762.]

To His Excellency Benning Wentworth Esqr Captain General Governor & Commander In Chief In & Over His Majesties province of New Hampshire, the Honble his Majesties Council & house of Representatives In General Assembly Convened May 26th 1762.

The petition of Eben^{r} Spencer & Richd Hull & Ichabod Bussell in the province of New Hampshire

Humbly Shews that your petitioners Inlisted themselves as Soldiers In this Governm^{t} service the 13 Day of March 1760, under the Command of Col^{o} Jno Goffe Esqr In Capt Eph^{a} Berrys Company & proceeded with & did their Duty In said Regim^{t} By Obaying & Executing all orders & Commands Whatsoever laid on them, & After their returne to Crown point from Montreall, & Working there a Considerable time, & Accidentally hearing Some words that passed between the Officers Intimating that, the Ends they were Sent for was over & hinting as if the Soldiers Could not be held to Stay, & by the perswasions of Others, We Inadvertantly Came home about One month before the Regim^{t} was dismissed, After which we Applyed to the Treasurer for our Wages Expecting to Receive them as Our fellow Soldiers did, but to Our misfortune the Treasurer told us we were returned Deserters & there was no pay for us, & Your petitioners being Indigent persons, humbly prays the Advisem^{t} of your honours herein & that you'l take there Case into your wise Consideration, &

Grant them Such Relief therein as you In your great Wisdom Shall think proper, & your petitioners as in Duty bound Shall Ever pray &c —

Ebenezer Spencer
Richard Hull
Jonath Chesle for & in behalf of Ichabod Buzel

[Endorsed] read June 3^{d} & orderred to lay

[5–68] [*Account for the Governor's Boat.*]

M^{r}/ Samuell Ham of Portsmouth Bote Bilder will agree To bild a Bote and Finish and compleait for the sumes hereunder menshanind — Twentey for feet long and six & half wide at Seventeain

pounds p^{r} foot	£408 – 0
To Nails Twio Thousan at £18	36 – 0
To the Smiths Bill	50 – 0
To the Joiner Bill bord^{s} and Brad^{s}	70 – 0
Paining	36 – 0
Terkumtime oyle and oacom	22 – 0
To 6 ores and painting	40 – 0
	£672,, 0

Six hundred & thirty pounds old Tenor for aboat of the Same dimentions as the old boat, & of the Same molds —

	630 ——	boat builder
lining oars	4,, 10 –	
Launching	6 ——	
Kings Arms	20	
	£660,, 10	

allowd Six hundred & Sixty pounds 10/ R W

Recd in full of this Bill two huded & thuty pond old tener

Saml Ham

To work on the Govener Boat

To 1 days work Silf and Boy	£9 : 0 –
To tirpentim oukum	6 : 0 –

Portsmouth aprel ye 16 1762

Recived Saml Ham

1761 Mr Samuel Ham To William Fullerton Dr
Octr To Painting the Governours Pinnis — . . £36 : 0 : 0
To Painting the King Armes in the Back Board 25 : 0 : 0

£51 0 0

Errors Excepd pr Willm Fullerton

Septemr 16 1761 } His Exelencey Bening Wentworth Esqr Dr to Gideon Goodwin
to forty Seven Nails which Nails @ 5 . . . . £11 : 15 : 0
to Drawing and Riveting twelve Bolts . . . 6 : 0 : 0
to Carpenters Work . . . . . 3 : 10 : 0

£21 : 5 : 0

Errors Excepted ℔ Gideon Godwin

[5–69]

Dr Provence To Thomas Bell For Supplyes of his Magisty Fort Wm & Mary By the Governers Order For the Year 1761 to Jenerwy the 1t 1762 —
To Ten Cord wood @ 16£ ℔ Cord £160,, 0,, 0
To Six Gallons Tran Oyle @ 60/ ℔ Gallon . . 18,, 0,, 0
To one pound of Week Yarne @ 30/ ℔ pound . . 1,, 10,, 0
To Paid Gideon Goodin @ his Bill . . . . 21,, 5,, –
To Paid Saml Ham his Bill 15,, 0,, 0
1759 Omittd Stephen March Acct Pair of Rudder Irons for the Fort Boat . . . . . 4,, 10,, –

Old Tenor £220,, 5,, 0
To the Accot given In for the Cost & Charge for a New boat for the fort — Old Tenr . . . 660,, 10,, –

880,, 15
N Tenr £220,, 3,, 9

Errors Excepd ℔ Thos Bell

Province of New Hampse } In the house of Representatives May 28th 1762 — This Accot & the Vouchers therefor being read — Voted That this Accot be Allowed Amounting to two hundred & Twenty pounds three

Shillings & Nine pence New Tenor & paid to Thom^{s} Bell Esqr or his order out of money In the Treasury
£229,, 3,, 9 N Tenor A Clarkson Clerk —

In Council May 29 — 1762 read & Concurrd
Theodore Atkinson Junr Sec^{ry}

Consented to B Wentworth

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 178.]

Portsm^{o} July 24 — 1762

S^{r} I am to acknowledge the rec^{t} of your favour of the last Enclosing Your Letter to the Comittee doubt not but we here Shall follow your Directions injoyning Your Son in the Agency with you as I am perswaded the Province will not willingly Part with you & therefore hope you will prevail on him

I have been often Importned to Desire your recomendation of my Son for one of his majestys Council here but have heither to Deferrd it til the Govern^{r} Mentioned it he if he does not forget will write you on that head I think he is full Young for that preferment but I percieve that is not A Material objection on your Side the waters in favour of this Solicitation I woud remind you that what Estate he has is chieffly in this Pro^{v} — he is also Secretary & of Course must Attend the Council in their Meetings & be privy to all their Transactions & Determinations & therefore its very convenient for the Secretary to be also of the Council I mentioned this affair for your Consideration & if you have not Some Material objection I should be glad you would Prevail so far as to me a Mandamus for his admission —

I should be glad and Esteem it a favour if you would Let me know the Am^{o} of Fees &c^{a} of a Pattent for Secretary of this Province & whether a Mandate by Prevy Seal Directed to the Governour here to make out a Patent here under ye Pro^{v} Seal will not be as Effectual as if under the Broad Seal of England Mr Fisher our Present Naval officer bro^{t} such an order under the Seal & Sign Manel & a Pattent Issued here by which he now acts the reason I Desire this favour is because I have tho^{ts} thro' you of applying for a Pattent to Establish him in the Secretarys office that he may not be moved at the Pleasure of another Governour

Pray Sr Let me have your advice on this Affair or Act in it as you may think adviseable & for my Sons Interest — I wish with you & as Sincerly for Peace Pray God Send one that may be Honble & Lasting this Concluds me with much Esteem Your most obleidged &^{a}
forwarded by T A

Portsm^{o} May 13 — 1763 — Via Boston or N York

S^{rs} I duly rec^{d} your ffavour of the 11 Novemb^{r} last and Acknowledge your kindness relative to the Applycation & recommendations of my Son as Secretary & for a Mandamus to a Seat at the Council Board here & hope soon to have a result of Both I Still think the Privy Seal to the Govern^{r} here would be A Saving of much Expence & would be as Effectual for the Secretarys office as the Broad Seal in that Case would be but that I must leave to your better Judgment & Pray the Continuance of your favour of y^{r} Prossicution to obtain both those Posts I mention this because I am apprehensive there will soon be Some applycation to fill up that Council from other Persons & I should be Sorry My Son should Miss a Seat there & therefore I must once more Interseed with you to Push those affairs as to your Interest in Masons Propriety that you mention in your Letter you know you are Entituled to $\frac{1}{2}$ a Share by a Deed we Purchased of Mr Mason which letts you into one 30th part of the whole Purchase & I always tho^{t} (& it was so determined) that your Deed from Maj^{r} Mason was to have been for one whole Share or one fifteenth Part of the whole but he had before I or any of your friends here knew of it Conveyd one half to other Persons Since that came to our knowledge we have constantly voted you in all our Grants a whole Share so that in those Townships you have a full right & a half right which upon the whole will make your Interest at least equal to any one Proprietors — this Interest Mr Wentworth & my Self Agreable to your Letter of attorny & agency constantly take care of as of our own & Shall Continue So to do the thing is now worth much of your Notice & is of Value & growing more So I Should therefore be sorry to hear you had Parted with it I wish your Health & Happyness &
Am with much Sincerity
Yours —

Portsm^{o} New Hamp^{r} July 20th 1762

We duly rec^{d} yours of 20th Jan^{ry} by Jacobson which Informs us of your recieving Ab^{t} £15000 — for this Province Proportion of his Maj^{tys} Bounty

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 177.]

Portsm° [Torn] 1763

S^r^ I am indebted for your Favour of the 4th November last Enclosing a Letter to the Com^tee^ which has been communicated & from whom you will soon have dispatches — I am obleidged for your favour relative to my Sons recomendation hope you will have no reason to regret —

My Son by this Ship forwards the Vote And Act of Assembly Appointing your Son joyint Agent with you with Power to Act Seperatly in case this Vote with the House was with Difficulty obtaind the Members Apprehensions were that it would be disagreable to you this occasioned the Com^tee^ to lay before them your Letters approving such Appointment — there is a Commission made Out for your Son but as that is matter of Form only & adds no Force Or Power but the Vote & the Act Speaks for them Selves & his Power & Assurance will be Complete without other formality —

Your Part of Masons Propriety is worth your regards & agreable to your Letter of Attorney Brother M — H — Wentworth & my Self Shall take all necessary care of your Interest therein —

Govr Wentworth for Two months Past has by the Gout been deprived of the use of his Limbs & confind^d^ to the Bedd he is now on the recovery & I hope will soon be Able to write you

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[5–71] [*Petition of Nathaniel Porter.*]

To his Excellency Benning Wentworth Esqr Captain Gen^ll^ Governour & Commander in chief of his Majestys Province of New Hampshire — The Honorable his Majesty's Counsel, and House of Representatives —

The Petition of Nathl Porter Humbly Sheweth That whereas your Honours Petitioner did in year 1761, Supply a number of the Soldiers, belonging to this Province with goods & Refreshments at Crown Point, agreable to Major Emerys desire, he then being Commanding Officer of said Soldiers, many of whom have continu'd in the Service ever since, and so dispos'd of their wages, that your Honours Petitioner has ben kept out of his Just dues & demands, which is greatly to his disadvantage & loss, he therefore prays that he may have a Stoppage in the pay Rolls for the last Campaigs, or some other way

found Out, as your Honors in their great Wisdom shall think fit, so that he may have his Just dues from said Soldiers, and your Petitioner as in duty bound shall ever pray —

Portsmouth Jany 5th 1763 Nathl Porter

In Council Jan^{ry} 14th 1763 Read & Order'd to be sent down to the Honble Assembly T Atkinson Junr Sec^{ry}

[Endorsed] voted Dissmissed Jany 14th 1763 —

[5–72] [*Sutler's Account against Various Men*, 1761.]

A List of mens Names & the Sums Who Are Indebted to Messrs Porter & Caldwell, Sutlers, Who Supplyed them In the Year 1761, with Necessarys &c — Viz —

In Capt Samuel Gerrishes Company —

John Martain Sterlg	£7,,	16,,	–	Jon^{a} Murry Sterlg	4,,	14,,	9
Joseph Bussell	1,,	10,,	4	Saml McCrease or M^{c}riss	1,,		7
Seth Thompson	3,,	9,,	1	William Plumer	2,,	5,,	4
Jonathan Huntriss	1,,	1,,	8	Amos Roe	1,,	6,,	3
Thomas Ransom	4,,	2,,	10	John Gilman	,,	4	–
John Davis	,,	9,,	7	Thomas George	1,,	19,,	7
Silas Flood	6,,	17,,	6	Pero Hall	1,,	5,,	3
James Kelly	5,,	3,,	6	Richd Ransom	3,,	1,,	10
Robert Gilman		8,,	10	James Beverly	1,,	8,,	11
John Critchett	1,,	3,,	5	Samuel Kenny	,,	7,,	3

In Captain Tilton Company Viz

John Jones	1,,	14,,	0	Josiah Weeks	0,,	19,,	4
Benj^{a} Kenniston	,,	4,,	10	George Berry	2,,	1,,	1
William Beard	,,	01,,	2	Phillip Yetton	,,	2,,	5

In Captain Neh^{a} Lovewells Company — Viz^{t}

Benjamin Davis	1,,	0,,	7	Amos Kenny	1,,	3,,	1

In Captain Hazzens Company — Viz^{t}

William Heath	0,,	14,,	4	Robert Speer	1,,	13,,	9

In Captain Marstons Company Viz^{t} —

Benj^{a} Smart	1,,	6,,	8	Dennis Sullivan	2,,	18,,	3
Sterling					£62,,	17,,	–

Examined ℔

D : Warner } Committee for Ex^{g} muster Rolls

Province of } In the House of Representatives Feby 1st 1763
New Hamps^{r} } The foregoing Acco^{t} being Read & Mr Porters petition Relative thereto, & he being Admitted into the house to Inforce the prayer thereof the house took the matter under Consideration & the prayer thereof Appearing Reasionable therefore Voted That the prayer thereof be granted So far that the Treasurer be & he is hereby Impowered to make the Several Stopages as mentioned In the within list Amounting to Sixty two pounds Seventeen Shillings Sterlg if due on the Rolls for 1762 for & On Acco^{t} of Messrs Porter & Caldwell, & Whereas the Said Porter & Caldwell did In the Said Year 1761 Supply many Others with Necessaries Whose Names Are Not in the foregoing List & whom they Settled with & took their orders for their Respective Ballances on the Treasurer, which Rolls were paid off & Nothing Stoped for s^{d} Orders it is therefore further Voted that the said Porter and Caldwell be Allowed to Lodge Said orders with the Treasurer In order to be Stoped Out of their Respective Ballances due them on the Rolls for 1762 & the Treasurer is hereby Authorized & Impowered to make Such Stopages the Vote on Said Rolls Notwithstanding

Sixty two pounds Seventeen } A Clarkson Clerk
Shillings Sterling — }
£62,, 17. Sterl^{g} —

In Council Feb^{ry} 4th 1763 Read & Concurr'd
T Atkinson Junr Sec^{ry}

[5–73] [*Petition of Richard Bartlett.*]

To His Excellency Benning Wentworth Esqr Governour & Commander In Chief In and Over his Majesties province of New Hamps^{e} the Honble his Majestie's Council & house of Representatives In Genral Assembly Convened Feby 1st 1763 —

The Humble Petition of Richard Bartlet of

Shews That your petitioner has been In the Service & pay of this Governm^{t}, for more than two years last past, In which time he Acted as Docters Mate or as an Assistant In Said Capacity to the Regim^{t} & Always was made up on the Rolls as a private Soldier & Never Received Any Other Pay for S^{d} Services, & In the year 1761 he was made up as Such to the 15th day of Nov^{r} & by Lieu^{t} Co^{ll} Bayleys Orders was left at Crown Point as an Assistant to take Care of the Sick belonging to the New Hampshire Regiment, the Doct^{s} Mate being Returned home & by said Bayley was promised a Gratuity for Said

Service Otherwise your petitioner would Not have Stayed, but have Returned home with the Regim^{t}, But So it was that your petitioner Stayed at Crown point, to take Care of the Sick, by Which means your petitioner did not get home till the 1st day of March following —

Wherefore your petitioner prayes that your honours will take his Case into Consideration & Grant him an Addequate Allowance for Said time, Acting In Said Capacity, —

And Your petitioner as In Duty Bound Shall Ever pray &c —

Jacob Bayley for and In
Behalf of Richard Bartlet

Portsm^{o} Jany 28 1763

This Certifies that Richard Bartlet of Capt Hazens Company in the year 1761 was made up on Said Roll till Novem^{r} 15th 1761, & no longer

Geo : Jaffrey Paymaster

this Certifys that Richard Bartlet Returned home Crown Point March 1st 1762 and not Before

Jacob Bayley

Province of }
New Hamps^{e} } In the house of Representatives Feby 1, 1763

Voted That there be Allowed & paid to Said petitioner or his ord^{r} Ten pounds Ten Shillings Sterlg In full for s^{d} petition out of money In the Treasury for paying of the Troops the Last Campaign

A Clarkson Clerk

In Council Eod^{m} Die Read & Concurr'd

T Atkinson Junr Sec^{ry}

Consented to the within resolve of both Houses.

B Wentworth

[5–74] [*Colonel Bedel's Letter asking for Relief.*]

Sir I Expected long before this time, Some Release from you on account of Sustenance & as my Dependance was, & you have Delaid coming we Suffer much on that account & I hope & shall Expect Shortly to hear from you, & if it's Posable Receive Something for our Support as the Place at Present is very Scarce for Nesasary Comforts

& hoping you'l consider our wants & make quick Despach to Releive I am S^{r} yours

Timo Bedel

Crownpoint February 22th 1763
Mr Abraham Oathout

[5–75]

[Account of Thomas Bell against the Province for supplies furnished to Fort William and Mary. Allowed the full amount, £6. 16. 6 sterling, June 10, 1763. — ED.]

[5–76] [*Petition for a Road to Coös*, 1713.]

To His Excellency Benning Wentworth Esqr Captain Gen^ll^ Governour & Commander in chief in & over His Majesty's Province of New Hampshire, The Hon^bl^ his Majesty's Council & House of Representatives in General Assembly convend.

The Petition of us the Subscribers humbly Sheweth, that Whereas, we together with a Number of other People are making a Settlement at Cooss, & as Sundry Townships are granted, both above & Below Cooss, & at Pemegewaset, where People are Now Setteling, it will Be of great Service to those Towns to have a Road from the Settled part of this Province, to Cooss as well as a great Benefit to the Goverment in general, we apprehend when those places are Settled there will be much provision's to Spare which must of course go down the River, unless a Road is kept open this way. The way we have Tho't of the Roads going is, to set out from Dover or Durham & so thro' Barringtown Barnstead Gilmantown, & to Cross Winnepesa^ot^ Branch at the Wares, Thro' Salem Holderness the four Mile Township (so Call'd) Rumney the Township not granted, into Haverhill to Coass, which is the only place a Road can be got thro' to the River, for Several miles up or Down, by Reason of Large Mountains, which ley both above & below the way prepos'd, that if your Excell^y^ & Honors would fix on Some methods whereby this desir'able End may be accomplished, by Taxing the Towns thro' which said Road is Carried, or any other method whereby the Road may be compleated, which we humbly conceive will greatly Serve the publick, as well as your Humble Servants, who as in Duty Bound shall ever pray

Portsm^o^ June 2^d^ 1763 Jacob Bayley
John Hazen

In Council June 2^d^ 1763 Read & Order'd to be sent down to the Honble House T Atkinson Junr Sec^ry^

Province of }
New Hamps^{r} } In the house of Representatives June 7th 1763 —
This petition being Read
Voted That the prayer thereof be Granted So far that the petitioners be Allowed to Bring In a Bill to Answer the Ends proposed
A Clarkson Clerk

In Council Eod^{m} Die read & Concurrd T Atkinson Junr Sec^{ry}

[5–77]

[Letter from Stephen Johnson, of Leominster, Mass., to Dr. Nathaniel Peabody, of Plaistow, in regard to a debt to Thomas Wood. — Ed.]

[*Atkinson to Thomlinson.*]

[Belknap Papers, Vol. I., p. 179.]

Portsm^{o} October 21–1763

D^{r} S^{r} I am now to acknowledge the rec^{t} of your Favour of the 27 of June which reachd my hands Yesterday I gratefully observe the Contents relative to the Secretarys office & am obleidged to Mr Thomlinson for the Trouble occasiond him in that affair but the Fees of ye Patent vastly exceed my apprehension & therefore at Present I lay aside the Tho^{ts} of any Solicitation if I had had no other Inducement than Fees & Perquisits I should not have held the office one Year neither should I have willingly consented to my Sons takeing it but twas the Gov^{rs} Pleasure to permit my resignation upon those Terms only & finding it agreable to the Pro^{v} in General was realy my motive & not any lucrative view — under this Situation twould be extravigantly beside the Mark to advance 200 or £300 for the Purchas of a Post that all its income would not Pay a Comon Interest — I have now don with the tho^{t} of Prossicuting that affair any further at Present Your Sons writes that we have a further allowence made us out of his Maj^{tys} gratuity for the Expence of the year 1760 but that it was to be refunded us from Pensilvania & Connecticut I supose by his Letter Connecticut will be paid into your hands & that as soon as the General Assembly Setts the Proper inquiry will be made after Philodelphias Proportion when doubtless you will be informd of the

Event Now Dr Sr Let me beg the Favour of your wonted free & Canded Advice to the Bearer Mr John Wentworth my Brother Marks Eldest Son he will want nothing more than your Common Civility & I am Sure youl have Pleasure in every favour of that kinde you bestow upon him as you will I am perswaded find him a worthy agreable Young Fellow I know your Directions will have a proper influence & in it youl greatly obleidge not only me but all your Friends here I Propose if I have Time before he leavs us to furnish him with Some Mem^o relative to the Settlement of all my Small acco^ts in London in which he will also need your assistance which leavs me no more to add but that I wish you every Blessing & am with great Esteem your much obleidged &

Most Obedient Humble Ser^t

T A

Sent by Mr John Wentworth via Casco Bay — Jno Thomlinson Esq

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[*Atkinson to Trecothick & Thomlinson.*]

[Belknap Papers, Vol. I., p. 183.]

Portsm^o Octob^r 21 — 1763 —

S^rs I am not without some apprehensions that I shall Tire you with my Importuning requests to regulate my acco^t in Such a Manner that it may be fully adjusted I know I have Tiezed you often on this Head forgive me I am old & would not willingly leave anything unsettled to my Executors that Needs my own adjustment there are in your last Acco^t Curr^t many things that I objected to and desired your alteration Since which I have not been favourd with any of your Favours My Kinsman John Wentworth by whom you will recieve this is taking a Trip to England I know I need not recomend him to your House youl finde him deserving every Favour granted I have requested him to Put you in minde of my acco^t which the multiplicity of your Bussiness of greater Moment may have occasioned you to omit those (such as mine) of less concern tho of Some importance to me I must therefore beg you would give me Leave to urge that you would make the Proper alterations in my Acco^t that I may no more Trouble y^e on thishead I have desired Mr John Wentworth to purchas Some perticular things for me & to apply to you for the reimbursm^t which I hope you will pay I have lately given Capt Dimond who is gon to Cadez & Meditaranean to Ship me Some wine &c^a & have also wrote to Messrs Hill & Lamar of Madara to Ship me

a Pipe of wine & to Draw on you for the amt pray Honr those drafts —

I hope you have Shipd me the Sundrys I wrote for the 19th of April last thô I have not a Line in Lorin nor Hunter I now Enclose you a Memo which Pay Send the Contents by the first Spring Ship & let them be fully Insured

I am Yours T A —

Sent by Mr Fisher

[5-78]

[Account of Thomas Bell for supplies furnished to Fort William and Mary, anounting to £50. 9 sterling. Allowed May 8, 1764. — Ed.]

[5-79]

[Account of John Thomlinson, Sr. and Jr., with the Province, April 13, 1764. — Ed.]

[5-80]

[Account of Richard Wibird, chairman of the committee on the expedition of 1762, and the auditors' report thereon. Allowed May 8, 1764. — Ed.]

[5-81]

[*Letter from Jacob Bayley to the General Court in Regard to Road to Coös.*]

Gentlemen,

You may remember that I once offered a Petition to this honourable Court, requesting that a Road might be made from Dover or Durham to Connecticutt River at Coos: and your Honours were pleased to come to a Resolution that said Road should be made as petitioned for. But as there were some Things left undetermined in Regard to the Method how said Road should be compleated untill a future Opportunity, it still remains as first resolved; the Reason of which, I humbly conceive, is for want of some Motion to your Honours. I have, indeed, rested too long without making the Motion to you, in Order to bring about so good an End. Therefore beg your Honours would consider our Situation being a small and poor People

at a great Distance from any other Settlement, unable to make a Road ourselves, still we cannot do without one. You may also think of how great Advantage it will finally be to the Government as it will greatly forward the Settlement of other Places between you and us, as also above and below us on the River. At present People of Note will not venture out so far as the Road is so very bad, whereas, if there was a good Road, we should doubtless, have good, able Men settle in this Country about us, and the Land filled with Inhabitants in a little Time, yea so much sooner than otherwise, that the public Taxes on a few of these Towns would soon refund all the Money the Province needs to be out for such Road. Besides, the Trade of this Part of the Govement will not be inconsiderable for our Lands produce Corn and other Provisions in Plenty if well cultivated, for which we shall want West India and English Goods, which now we are obliged to give Cash for in Boston, cart them to Northfield, (which is as far from Boston as we are from Portsmouth) and then we have a long Water Carriage. There has been brought here of Such Goods, since last Spring, to the Value of a thousand Pounds lawful money: in Return for which Furs are the chief, which are our Money.

Would therefore pray this honourable Court to proceed to chuse a Committee to look out said Road, make and compleat it with all proper and convenient Dispatch, at the public Charge, or otherways as you in your Wisdoms shall think best. Wish to see it soon accomplished, and beg to be forgiven if I have said any Thing intruding on the Courts Honour, would recommend our Case to your Honours as Children to their Fathers, and would rest in all dutiful Obedience, your humble Petitioner Jacob Bayley

Newbury Decr 25th 1764

[Endorsed] Read Jan^{ry} 17th 1765 — orderd to lay till the morning

[See p. 555. — Ed.]

[5–82] [*Letter from Timothy Walker to James Nevin.*]

Portsmouth Jan 5 1765

sr The Principal part of my business in Town is to obtain if possible an Incoporation — Mr Scales^{s} Petition for New Hopkinton is nearly similar to ours & probably will keep pace with it — there are two years arrearages viz our part of ye currant charge for year which should have been paid Decr 1763 & D^{o} in December 1764 which nobody has power to assess or collect which if required Immediately to

be paid will occasion very great distress to ye Poor amongst us for that part of ye large arreage which they are now endeavouring to pay will I am well perswaded be ye utmost they can grapple with at present would therefore with all due deference suggest & move that what should have been paid in 1763 may be added to the Tax to be paid in 1766 & what was due in 1764 be added to ye Tax in 1767 & ye Treasurer be ordered to Issue his warrant accordingly — if carter & Virgin their Petition should come up to Council you^l^ be Kind Enough to forward it so far as you think Right

I am s^r^ your most obedient Humble Servt

Tim^o^ Walker

Honorable James Nevin Esqr

[5-83]

[Vote of the General Assembly applying the sum of £300, appropriated by the Province towards the restoration of the "philosophical apparatus" of Harvard College, destroyed by fire, which sum was not needed for that purpose, to repairing the loss to the library of that institution. — ED.]

[5-84-87]

[*Endorsed, "Copy of defence of Gov. B W — presented to the Marq: Rockingham ℔ J W — 1765 — "*]

My Lord

Your Lordship having honor'd me with a permission to lay before your Lordship a State of the Complaints offer'd against Governor Wentworth, as Governor of New-Hampshire and as Surveyor General of his Majesty's Woods in North America; both which Commissions he hath long been honor'd with and discharg'd his duty in them with undeniable assiduity, inflexible honor, and a share of Success, that the increas'd state of the Province while under his Command will amply evince; But as these Services are unknown, many Parts of his Conduct misrepresented, and many allegations offer'd, which, altho' intirely void of Truth, appear almost, if not altogether, to have effected his Dismission from his Majesty's Service; and will mark with disgrace, the last Period, of a Life long extended in the most zealous & upright execution of his duty to his King and Country: I must therefore beg Leave to avail myself of your Lordship's Condescension, & proceed to mention such Complaints as have come

to my knowledge, and to make such answer to them; as my Memory can furnish me with, being too far distant from proper Materials; to form a regular defence — As the two Commissions are actually distinct & unconnected, except accidentally being confer'd on the same Person, for the convenience of Government at that time; I wou'd ask Leave to consider them separately, and first as Governor — The objections are a neglect of correspondance with the public boards where his Duty directs — 2dly numerous grants of Lands — at the same time of Property & Incorporation with too vague a reservation of Pine Timber to the Crown — And receiving large Sums for such Grants, a Reservation to himself of 500 Acres of Land in each Township, and the same Names being inserted in different Grants — 3dly Passing Acts of Assembly, relative to private Property, without a suspending clause till his Majesty's Pleasure was known; and delaying to transmit these Acts and others for a much longer time, than his Duty admits. — To the first Objection permit me to observe; That Mr Wentworth is far advanced in Years, very much troubled with the Gout, which often renders him incapable of writing for many Months together, & yet does not prevent his attending to Provincial Duty, which is not the least impeded thereby; add to this the uncertainty of conveyance, & the very frequent Miscarriages of Letters, that must be entrusted to the care of Ship Masters, in such long Passages, & therefore may be more his Misfortune than Neglect —

Governor Wentworth by his Instructions is directed to incorporate Crown Lands into Townships & to grant the Soil to people who will settle these tracts; in the execution of this Part of his duty he has erred in Form only, by making the same instrument a Charter of incorporation, & a Conveyance of the Soil; this evidently appears to be only a Misconstruction of the litteral meaning of the instructions and has not, or can hereafter be of any prejudice to the Country, or his Majesty's Service, but on the contrary, I presume will benefit both, by preventing a needless multiplication of Forms & instruments; from which matters of contention might daily arise — As the settlement & population of the province appeared to be the design of this instruction, which cou'd be no otherwise effected, than by granting the Crown Lands under proper restrictions, to Settlers; to complain of Mr Wentworth's making these grants, is in fact, a Complaint against him for doing his Duty, in obedience to his instructions, & I imagine he wou'd herein merit the Defence rather than censure of Administration; especially when the advantageous Terms of those Grants are consider'd for the better explanation of them, it may not be amiss to describe how they are obtained & the general Conditions; upon the petition of Sixty or Eighty Men, for a township of six Miles

square q^{t} about 27,000 Acres of Land, which they are desirous to cultivate; the quantity aforesaid is regularly survey'd, and granted to the Petitioners & their Heirs forever, reserving a quit Rent to the Crown, in proportion to the goodness of the Soil & Convenience of its Situation; also a reservation for all white Pine Trees fit for Masts — The Grantees at different Periods, are obliged to have a certain number of Families, on the Township; & in ten Years to have at least 60 Families, actually residing, to have a Place of Protestant public Worship & a Minister with a regular Salary, also a Grammar School; to have roads of communication open'd & kept in repair at the town expence: all which terms are to be performed under Penalty of total reversion of the title to the Crown; & I know of none that are allowed more than 12 Years from the date of their Charters, to perform the terms: (time of War with French and Indians excepted) in which nothing can be done, being exposed to their barbarous Incursions; indeed this last War all the young Men, who are generally the People that have Resolution enough to begin new Settlements, went chearfully & voluntarily into the Army, at request of his Majesty's Generals; that render'd it impossible for them to comply with the Limitations, & it wou'd surely have been an unparallelled instance of Cruelty, & perhaps Injustice, to have neglected this provisional caution, to secure their property from destruction, which they otherwise must hazard at the same time, they are exposing their health, strength, & Life in a ready & brave Defence of the Country. Thus it plainly appears, that Mr Wentworth has taken the most prudent Method to render usefull, vast tracts of unimproved lands, to promote an immense & valuable Population, & produce a very considerable revenue to the Crown; without the least burthen on, or discontent to the Subject. That Mr Wentworth has interested himself 500 Acres in each township, perhaps may be fact; and admitting it to be so, I am at a Loss to find the impropriety of it — As he has not granted any particular priviledges or exemptions to his part, he must comply with the general Conditions, that other Grantees do, and consequently be as usefull as any other of them, in promoting the Cultivation of the Wilderness; if this is effected, the end of Government seems to be answered, & it cannot possibly be of any Consequence in which of his Majesty's Subjects the Property is vested, unless any one Man has so much as to make him the object of future Apprehension; against which distant inconvenience his Attention to the interest of that Country, as well as this, has also provided; by not granting large tracts, to any single person; for it is very evident, that having small Estates in different Parts of the Country will never give great Power or Influence; I confess it is beyond my penetration,

why a Governor who has served his Majesty faithfully & honorably 27 Years, with a most inconsiderable precarious allowance from the impoverished Colonists: shou'd be the only one of his Subjects excluded from the expected benefit of these Lands, under such beneficial Terms to the Crown & Community; or how this cou'd either be made or accepted seriously, as a Complaint. It is also said Mr Wentworth has received large sums for these Grants, to which I wou'd make the same Answer, he has made to the Lords of Trade & Plantations, that of some he received no fees of Office, and of others only such as their restricted Circumstances admitted without Inconvenience; I am very sorry that a regard to truth obliges me to acknowledge their general Poverty must have render'd any of them too trifling to merit his Attention, much more to prevail on him to do wrong. The indeterminate reservation of Timber fit for Masts — Yards — & Bowsprits for the Royal Navy, seems to have great Weight against him, but like other groundless objections, (I flatter myself) will vanish on examination — The Clause of reservation in all the Charters is — "That all white pine Trees fit for masting the Royal Navy be absolutely reserv'd to his Majesty, any Thing in this Charter to the Contrary, notwithstanding;" it is objected that this mode of Reservation Leaves it to the Judgment of the Grantees, what Trees are reserv'd, and therefore exposes the Service to great Detriment, How it can be so accepted, I can't conceive, or in what Way this expression can preclude the force of Proof; for certainly, if the Trees cut are proved to be fit for masting, then the Delinquent is open to the Law, if they are not, he is free from offence & wou'd be equally so, in respect to this Case, however the Clause might have been expressed, If it is not full enough it must immediately appear to be only an inaccuracy of expression into which he was introduced by an Act of Parliament, 8th Geor: 2d Chap: 12th — The very words of which he has used — And will I presume be his best Plea — I must beg your Lordship's Patience, while I observe, in answer to some Gentlemen who say that all Pine Timber whatever shou'd have been reserved to the Crown That it is not so, in the various Acts of Parliament, made to preserve the Woods in America, & particularly in that before cited, which (I think) is the last enacted upon this occasion — If it was, the Country must remain forever uncultivated & uninhabited; & be a sure Cover for ravenous wild beasts & more destructive Savages, from whence they might daily make distressing incursions on the Lives & Property of the industrious Peasant whose Labor now, is remitted for the Manufactures of Great Britain, but must then be turned to his own Defence, barely procuring a scanty hard subsistance & utterly deprived of all hope of convenience to

himself or utility to the Mother Country: as it wou'd be impracticable in most Parts of New Hampshire to clear an Acre of Land, or even a Spot to build a House upon; without cutting down some kind of Pine trees, of which there are many Sorts as intirely useless for masting as an Apple or Peach tree — Therefore (I presume) it will not be denied, but that such an indiscriminate reservation wou'd intirely frustrate the intention of all Grants, & the Royall instructions relative to them, & save nothing to the Crown; all which Inconveniences Governor Wentworth has prevented, by a prudent Use of the expression in the aforesaid Act of Parliament, as a Reservatory clause in all his Charters —

That one Man being interested in many Townships, appears wrong is from not knowing the cause — The Head of a Family may have 4–5– or 6 Children & as many white Servants — He therefore gets his own Name inserted as a Grantee in as many Townships, & as these People grow to a proper Age, they are settled by his assistance, on these respective Lots, none of them exceed 360 Acres; but a small Reward at last, for a Life of hard Labor & Danger in a Wilderness, remote from the pleasures & Conveniences of Society — The Appearance of the last Complaint is very much against the Governor, into which error I fear he has been led, by attending to the well-known Maxim of civil & natural Law, that Consent of Parties takes away error, & I hope it will prove that this suspending Clause in private Bills, has been neglected, only where the Parties have agreed & the Sanction of an Act of Government was no further necessary, than to oblige them to perform their Contracts & to prevent future Disputes — If so, it can not be objected as more than an oversight, which hath nor cannot produce any bad Effects; as to Omission of transmitting the Acts in time — The answer to the 1st Objection; is also an Answer to this — I had thus far gone thro, & I hope thus far vindicated Mr Wentworth's Conduct from the malicious insinuations of some and the mistaken Censures of others; & flatter'd myself that even Envy cou'd not have invented more, or cruel Hatred taken ungenerous Advantage of the Absence of a very valuable old Gentleman (whose greatest Crimes is the want of Friends, to bring all his Conduct into full View) to propagate new Calumnies against him: but I was this Day surprised with an Information, that Mr Wentworth had made his Government a Family Affair, & that no Justice or Emolument was obtained by any others; no other than an accusation of so dishonorable a kind, & so infamously false shou'd have induced me at any Rate to have presumed further on your Lordship's Goodness, already I fear too much trespass'd upon, by this long detail: it shall be my Care to be as brief as possible — The fact

asserted is totally false, but as it is improbable I shall find the Author of this detraction; permit me, to assure your Lordship; that only three of Governor Wentworth's Relations have any Places of Profit in the Government, & but one of them of any considerable Value, I believe the total Advantage may be as follows — One of 70£, One of 60£ & one of 140£ p^{r} Ann: while he has constantly imployed all others of the Province in the most honorable an lucrative Places; even those that were continually obstructing his measures, with Acrimony & Enmity, generously rising superior to all private considerations, in the disposal of Employments; making no Discrimination but of merit, except against his own Family, who he ever cautiously excluded, only in the small appointments before mentioned — This I know to be fact, & wish an Opportunity to defend it, as such; against the Person who has said the contrary — Governor Wentworth has extended his Delicacy in this Point to an unreasonable Degree — My Father who never wanted or accepted of any Place in the Province, except being of his Majesty's Council, to which he was appointed here, without his Knowlege, altho he had the greatest private claims, on his Brother's Affection, and equal public expectation, his general charge for the support of which for 20 Years past has been & this Day continues to be far the greatest in the Province. At my request he Sollicitted the Governor to grant me & others a Township, upon the same Terms others were granted: which he refused & to this Day has never granted, for no other Reason than my Connections with him; neither has he granted to me any Place of Honour or Profit, or has he to any other of his Relations, save those aforenamed — Altho' it gives me great Concern to know that his Dismission is determin'd, Yet it has this Circumstance of Pleasure to me & I am sure it will be to him; that I have the Happiness of vindicating his Conduct from dishonor, to your Lordship; which will blunt the edge of Misfortune: Upon observing the indispensable Length of my Defence of Mr Wentworth as Governor, I am almost deter'd from attempting any Thing in his favor, as Surveyor General of the Woods; but as this Post is not yet torn from him, and of the two is far more eligible; I will presume to beg your Lordship's Favor, in permitting me to add a very short defence of his Conduct against the three Objections offer'd — The first is, that the two Places are incompatible, to which it may be said, if he is deprived of the Goverment, this cannot be again urged. 2dly that there are 4 Deputys allowed Salarys & at his appointment. That Mr Wentworth appoints only Men of low Caracter pays no salarys, but permits them to procure payment by Sale & Waste of the Kings Woods — To which I reply & will most readily maintain; the whole assertion is false —

the four Deputys are regularly appointed and do actually receive the several Stipends as provided by Government, without Mr Wentworth's intervention or even Knowledge — Three of these Gentlemen I am well acquainted with, & know them to be Men of fortune Honor & Reputation — Viz^t^ Theodore Atkinson Esqr Theodore Atkinson Junr Esqr & Captain Bradstreet — the fourth Mr Armstrong I am not personally acquainted with, but imagine he must be a Gentleman of Character, as I know he was recommended to Mr Wentworth, by some Noblemen of this Kingdom, tho' I can't readily recollect who — 3dly the Surveyor is charged with a Neglect of Duty; This is sufficiently refuted by the Appeals now depending in Docters Commons against him, for Judgments obtain'd by Admiralty process in New-England, for seizures in the execution of his office — All the public Papers of Boston & Portsmouth in New-England, of 1760, 1, 2 & 3, will be his Evidences, in most of which are Advertisements of trees seized by him and the claimants notified to defend in Admiralty — Thus every attempt against the Surveyor is evidently unsupported, but on the contrary I with great Pleasure assert; — That he has done his duty herein with all the Care, Caution & Vigilance of a good Officer, in which I am well knowing, having assisted my Father in his Business for 7 Years, who is Agent to the mast contract, and thereby necessarily acquainted with every Circumstance relating to this Office. The hardship of depriving Mr Wentworth of this Place will exceed every Thing but the Malice of his enemies, as it is well known that in consideration of it, he rested his claim on the Crown of Spain for 56000 Dollars, which was thought necessary by Administration for the service of Government; He also paid Colonel Dunbar (who then held the Place) 2000 £ for his resignation which was admitted in favor of Mr Wentworth — Thus it appears that he paid very dearly for it, and that had he only received his Demand, the Principle & Interest of it to this time, wou'd have produced a real Estate of much greater Value — On the contrary he has been expending it hitherto in Support of the dignity of his Majesty's Commission as Governor, altho' not confer'd on him with that Design, but sold as an advantageous Composition for the public, & now likely to be converted into a ruinous bargain for him — The other Governors of his Majesty's Provinces (I mean those presiding under his Royall Commission) have Salarys & Emoluments from 1000 £ to 3000 £ p^r^ Ann: while Mr Wentworth has almost at his own expence, supported his Commission, of equal Rank, and with equal Honor to any one on the Continent; I wou'd not have presumed to have mentioned this, tho' an interesting Circumstance, were not many Gentlemen of Reputation now returned to England, who will readily confirm it from their own Knowledge —

His Services during the War ought not to be forgot or unknown — When Troops were demanded from the different Provinces, during the whole Course of the War, the Proportion expected from New Hampshire were always in the field by the Time appointed so great was his Care, that his Regiment was never deficient, but frequently exceeded in Numbers — And it was universally admitted they were the best Troops in the Provincial Army — I know he received many Letters of thanks from the Generals for his Attention to the Service in this Point; And his Officers have also been distinguished by many honorary Rewards, bearing Inscriptions to this Purport. These, My Lord, are but a very small part of what Truth wou'd command to be related in his favor, and still a more inconsiderable proportion of what occurs to explain his Conduct in Government; But this has already increased to a Lenght which forbids further addition; into this excess I have unwarily fallen by a desire to prevent the blasts of Envy & Calumny fixing undeserved reproach upon the last Days of an aged, honorable & meritorious Life; (too much secured in consciousness of Integrity & innocence to suspect necessity of Defence) altho' it may be impracticable to avert the Loss of Emoluments, to which he has every Right of Possession, Purchase & Service. — It now remains for me to sollicit pardon for so great an intrusion on your Lordship's time; and to beg leave to have the Honor to subscribe myself with the greatest Respect

My Lord Your Lordship's
most dutifull and most obliged Servant

New Bond street 10th Mch 1765 J W

To The right Honble The Marquiss of Rockingham.

[*Atkinson to Trecothick and Thomlinson.*]

[Belknap Papers, Vol. I., p. 180.]

Portsmo N H June 7th 1765

Sr I am now to acknowledge rect of your Favours of the 23d of March & 10 of April last & have recd the Sundrys by Hixon those by Jacobson not yet reshipd to Piscataqua —

I now Enclose (according to your Directions) My Diary as D Secry to the 25th March last made out in the usual form & hope youl meet no uncomon Difficulty in raiseing the amo — I suppose you recd the Sallary at the Time you did the Travelling Charge as they are too closly connected to have a Stopage upon one without the other —

We are allarmd with the News of Govern^{r} Wentworths being Supperseeded Perhaps in both his Employments if this removal is Occasioned by any Complaints that may have been Entered ags^{t} him I am in hopes he will have a Day allowd him to Clear himself from any male administration in either I am fully convinced this would be neither a Difficult or Disagreable Task to him but if it is *ex more Motu* he must submit without y^{t} Favour —

I long to hear from Mr Thomlinson especially in answer to the Com^{tees} request to be informed what the Province Interest in the Stocks will now Sell for that we may keep within Bounds in our Drafts on them there is a Vote of Assembly Enabling the Agency to dispose of that Interest to Enable the agency to Pay the Com^{tees} Bills which Vote I suppose will be forward Soon to them we being now obleidged & determined to Sink all our Paper Currency as soon as Possible Twill be extream difficult under our Present Situation but it will be attempted —

by the Price of the 2p^{s} Yard wide Garlix you Sent me by Jacobson I fear they are rather too coarse for my own ware which they were intended for I must therefore beg you would Send me ℔ first 2p^{s} of y^{d} wide Irish Lining Cost about 3/9 or 4/ ℔ Yard of a good Fabrick & 2 Doz^{n} Ivory Handle Knives & 2 Dozen forks for my own Use — I have directed Capt Willm Crowley to call on you for the Payment of the amount of one hh^{d} rum Shipd me from Jamaica he Charges me £14,, 10,, — Jamaica Money that being reduced according to Exch^{a} Between Jamaica & London is what youl be good enough to pay him & Charge me with —

I think there is at last a Prospect of your finishing the long subsisting affair with Mr Sam^{ll} Wentworth if the Project takes Effect shall draw on you to Discount with him £250,, — Sterling — I am now got to the 17th June & have finished the above affair & now referr you to M^{r} M H^{g} Wentworth for the Perticulars I hope the Thorne taken out of your foot will not be too deeply Impressed where it now rests

Agreeable to what you & Mr Wentworth writes me I hope my acco^{ts} Stand right in your Books & that you have receivd the Ballance from Mr Joness Executors & if I Should have any Money then in your hands pray Shipe me 3 bb^{ls} Nails Viz 1 — 20^{d} — 1 — 10^{d} — & 1 — 4^{d} but not unless I am in Cash with you

I am Sirs Yours

T A

Mem^{o} to Ship Insured to T A
2 p^{s} y^{d} wide Irish Linen
2 Doz Knives Ivory Handles 2 D^{o} fforks

3 Small bb^{s} Nails 1–20^{d} — 1 D^{o} 10^{d} — & 1 D^{o} 4^{d} — Provided as mentioned in my Letter above
Let them be marked T A Z —

S^{r} I am indebted for your Favour of the 27 March by Capt Turner enclosing Bill of Lading for one hh^{d} rum which I duly rec^{d} this June the more obleidged for in as much as I neglected to furnish you with A mem^{o} I have by this Ship wrote Messrs Trecothick & Thomlinson to pay you the acco^{t} £14 : 10 : — Jamaica Currency which I am perswaded youl meet no Difficulty in receiving youl therefore adjust with them the Difference of Exchange & Ballance my Acco^{t} I am with much Gratitude & great respect

Your Obleeged Humble S^{t}

June 12 — 1765 T A

Copy by Capt Hagget

[5–88]

[Samuel Ham's account for building a boat for Fort William and Mary. Allowed June 28, 1765. — Ed.]

[*Atkinson to Trecothick and Thomlinson.*]

[Belknap Papers, Vol. I., p. 182.]

Portsm^{o} April 18th 1766

Gentlemen I have only to beg your Favour in Ship for my Acco^{t} the Sundreys in the Enclosed Mem^{o} I should be glad to have them Directly to this river but if not let them be Ensured here we are Stil waiting & hoping a repeal of the Stamp Act &c^{a} &c^{a} we in this Province have kept off all the irregularity too much practized in many other Places thô as much against the Stamp as any I hope & Doubt not this Province will gratfully resent any Fav^{rs} they may receive either from his Maj^{ty} or the Parliam^{t} as yet we have rec^{d} no certain intelligence of the event of the our affairs pending before his Majesty or Parlim^{t} but your Letter to Mr Wentworth gives great hopes

Yours &c^{a}

A piece if not too long of Thick Strong Warm Stuff for Negro Fellows outside Clothing — not apt Stain or Change Coll^{r}
3 p^{s} of Strong Lining for Negroes Shurting

1 guilt frame for a half length Picture to lessen the freight let it be taken asunder before Shiping

4ll green Tea

2ll Do Hyson Let these perticulars be well wraped in Corms & the Case fill up with good Corks for Bottles & Insured to Piscataqua ——

I wrote you of the 18th April Last in which I Enclosed A memo for Sundy Perticulars for my Families Use hope you recd if that Letter miscarryed you have herewith a Copy of what I then wrote for which youl obleidge me in Shiping — togeather with an additional memo Enclosed which I desire you would Ship me as Soon as you conveniently can that they may not be late on the Coast I now Enclose you my Diary as Deputy Surveyr & as it is drawn in the usual Method hope youl meet no Difficulty in Crediting my Accot therewith I heartyly wish Some deffinitive Determination on the Appeal from the decree of the Court of admiralty relative to the Masts Seized at Casco bay his Majtys Interest will greatly be greatly Affected by that Decission The officers have now very heavy Actions pending in the Comon Law Courts & have hitherto been Continued in hopes of a Decree from home but how Long we Shall the Cts will be prevaild upon to grant Such Imparlences is very uncertain the * now rolling of yt * is reversed heavy * will Soon be brot agst the officer The Acts declaring the Dependce of the Collnys upon the Mother Country & repeal of the Stamp Act have been Proclaimed Here & met the resentment you wished We have no thot that the repeal was obtained thô fear or that the King & Parlimt was drove into &ca all this originated on yr Side the Water We are here to a Man Loyall Quiet & Dutyfull & Shall ever remain so while realy Enjoy the Priviledges of Englishmen at Present in this Part we are gratfull &ca thou Seldom or never hear a word about the Stamp Act unless when we mention Some Friend whose assistance &ca &ca Yours T A

June 23d 1766

Mesrs Trecothick & Thomlinson

Sent by Cap Eve Via Liverpool & Duplycated by Capt Showers direct

* These words are illegible. — Ed.

[5-89]

[*Petition of George Meserve, Stamp Commissioner at Portsmouth.*]

To His Excellency Benning Wentworth Esqr Captain, General, Governour, and Commander in Chief in and over His Majestys Province of New Hampshire in New England — His Majestys Honble Council and the Honble house of Representatives —

The humble Petition of George Meserve of Portsmouth in said Province Shews — That the last Year when the Act of Parliament for granting and Applying certain Stamp Duties &c, was passed. Your Petitioner being in London — was Honoured with the appointment of Distributer of Stamped Parchment Vellum and Paper for this Province. and in Order to execute the Duty of his Office was under a Necessity of Returning to New England much sooner than he otherwise should have done — That he Arrived here early in September last, when he found the whole Continent in a state of the Utmost Confusion and disorder on Account of the said Act of Parliament — That by Reason of his appointment to that Office he has been most shamefully and Scandilously Insulted, and abused: and from the Repeated threats daily uttered against him has been keept in Constant fear of his life and property — That every means that envy and Malice Could devise has been taken by some People in the Province to Render him Odious and Contemptible, and to make him the Object of Inveterate Malice & hatred. Insomuch that till the Account arrived of the Repeal of the said Act he was Afraid to Engage in any business, or take any Measures for the Support of himself & Family — That by Reason of the aforementioned abuses his Charector has been greatly injured and his business greatly Suffered — That Your Petitioner encouraged by the Right Honble Mr Secretary Conways letter to the Several Governours in this Continent, and from the Fourth Resolve of the Parliament of Great Britain in their present Session makes this Application to your Excellency & Honours and to pray that your Excellency & Honours would be pleased to take the premises under Consideration and grant him a Compensation from the Government for the Injuries he has Suffered as Aforementioned & your Petitioner will ever pray &c —

Portsm^{o} N Hamps^{r} June 22^{d} 1766 George Meserve

Province of New Hampshire } In Council 1^{t} July 1766 — Read & Ordered to be sent down to the Honourable house & an enquiry recommended

T Atkinson Jn^{r} Secre^{y}

Province of
New Hampshire } In the house of Representatives July 3d 1766.

Voted — That Colo Peter Gilman, Colo Clement March, Colo John Wentworth Colo Meshech Weare Esqrs & Capt John Giddinge be a Committee of this House to Join with such as shall be Appointed by the Honba Council as soon as may be to hear the petitioner and make strict Enquiry into the Matters Alledged by the petitioner and to make Report to the General Assembly —

M. Weare Clerk

In Council Eodem Die —

Read & Concured and the Honbles Peter Livius Daniel Peirce & George Jaffrey Esqr added on part of the Board

T Atkinson Jnr Secry

According to the foregoing appointment the Committee have heard what Mr Meserve had to Offer in support of his Petition which consisting only of general assertions without any proof of particulars & it Appearing by his Own Confession that (tho Often threatned as he said) he had not Suffer'd any real damage from any Open Act of violence either in his person or Substance; and that when insurrections were suspected at different times, Guards were appointed to protect him, & to prevent any injury to him; It is the Opinion of the Committee that Mr Meserves Case does not Come within the true intent & meaning of the recommendation of the honourable house of Commons & Mr Secretary Conways Letter, as we conceive the said recommendation has reference, not to those who have been abus'd & threaten'd on Account of their unpopular office, but to those only who have suffered evident damage either in person or Substance from some Overt Act of violence of the People, which Mr Meserve confesses was not his Case; and it is our Opinion that Considering the late dangerous times of Calamity & Licence the Government did what was in its power to prevent any Violence, & that the happy success of the Measures for the End was very much Owing to the general good disposition of his Majestys faithful Subjects in this Province; And further we think that if Mr Meserve had Otherwise the clearest title to the respectable recommendation he Assumes, & to which we desire to pay the highest regard, Yet he would have rendred himself unworthy that recommendation by the Illiberal uncivil & rude manner he has made return to the Condescention of the general Court in Appointing a Special Committee to hear him. Upon the whole having carefully read & Considered the Resolves of the honourable house of Commons & Mr Secretary Conways Letter, We are of Opinion that Mr Meserve has not Provd that he has Suffer'd

any thing especially within the Purport and meaning of the said resolves & from the tenor of his petition and his Manner of supporting it, we beg leave to recommend the dismissing it,

July the 9th 1766 sign'd by an unanimous order of the Committee
Peter Livius Chairman

In Council July 9th 1766
read and Accepted & Order'd that the Petition be dismiss'd & sent down to the House for their Concurrence
Theodr Atkinson pro Secrety

Province of New Hampse } In the House of Representatives July 9th 1766
The Above Vote of Councill Read And Concurd
M Weare Clr

[See Vol. VII., pp. 100–103. — Ed.]

[5–92]

[*Petition of Daniel Sanborn for License to Build a Dam.*]

To his Excellency Benning Wentworth Esqr Captain General Governor & Commander in Chief in And Over his Majestys Province of New Hampse The Honourable his Majestys Councill and House of Representatives in General Court assembled June 27th 1766

The Petition of Daniel Sanborn of a Place Called Sanborn Town in said Province Humbly Sheweth

That Your Petitioner hath at a Great Expence to himself Erected two Mills a Sawmill & Gristmill On a Part of Winnipisioke River so Called in Doing which Your Petitioner had Regard not only to his own Profit, but also the Incouragemt And benefit of Settlers there. That when your Petitioner Built said Mills he Apprehended that Building the wing of a Dam a little way into said River would have been Sufficient to Supply Water for said Mills. But in this your Petitioner finds himself Disappointed, and that he shall in a Great measure Loose his Cost in Erecting said mills And the Advantage they would be to Others, Unless he may be Allow'd to Erect a Low Dam Across said River, which he Apprehends may be Done in such A Manner as will be no ways Prejudicial Either to the free Passage of fish up and Down said River or any Other necessary use thereof, by building the Dam Slooping Each way and Lower in some Places so as to give Sufficient Depth of water for the free Passage of fish and

Other things, which your Petitioner would not impede on any Consideration being fully Convinced of the Great Advantage of their having a free Passage. Your Petitioner hath not the least Doubt but your Excellency and Honors will Readily Permit him to do what is Necessary to his Reaping Any profit from the Great Expence he hath been at that shall not be Injurious to Others, And Humbly Submits the matter to be Under the Direction of this Honourable Court, And Prays Your Excellency And Honours that a Committee may be Appointed to view the Premisses and make Report, And that such further Directions may be Given And Methods Established for your Petitioner's Relief As to your Excellency and Honours in Your Great Wisdom Shall Seem meet And Your Petitioner As in Duty Bound Shall Ever Pray &c

Ebenr Samborn Atturney on
behalf of Said Daniel Sanborn —

Province of New Hampshire
In Council July the 2d 1766
Read & order'd to be sent down to the honble house
T Atkinson Jun Secry

[*Atkinson to Wentworth & Trecothick.*]

[Belknap Papers, Vol. I., p. 184.]

Portsmo July 12 — 1766

Gentlemen We have now the Pleasure to Enclose you Copy of a resolve of the Legislature here appointing you joynt & Seperate Agents for this Province at the Court of Great Britain with or without, Messrs Thomlinson hope no refusal will prevent us the Favour of Your Interest in that Capacity we also enclose three Seperate Addresses To His Majty — The Lords Spiritual & Temporal & to the House of Commons — by which youl See how the repeal of the Stamp Act was resented in this Prov as the Votes are unanimous we hope if we may have errd in any mater of Direction or Form twil be overlook'd & imputed to our not being acquainted with the Method of such Addresses we assure you they Speak the minde of the Province you'l therefore make the proper Use of them —

Some Acts were thot of & all the Brances of the Legislature here appeard Desireous of Passing such Acts for Preventing illicite Trade as recomended but the multiplicity of Bussiness that Lay before the Court & the shortness of the Session occasioned by the Early Harvest it was deferrd for the Present —

Accept our gratefull Thanks for your Spirited & kinde assistance

in the affair of the repeal til you have it in a more Gen[ll] Address which was Designed you —

We must beg your Endeavours relative to the obtaining our Quota of the Money Granted for our Expences in 1756 and Pray let us know what our Money in the funds Sell for that we keep within Bounds in our Drafts & what may be in the agents hands from Time to Time

When the former Agents Sent a Standard of weights & measures they omitted Some perticulars which the Treasurer often Wants & are as the Mem[o] below which youl please to order the Shiping of as also the last Voll[m] of the Statutes one being printed Since we had the former We are &c[a]

℔ order T A C. M —

1 Gall[n] Pott Winchester Measure
One 2 quart D[o] — D[o]
1 Sett of Money Scales & weights
the last Voll[m] Statutes of Engl[d]
Copy —

[5–93] [*Proclamation of Governor John Wentworth.*]

By his Excellency John Wentworth Esq[r] Captain General Governor & Commander in Chief in & Over his Majesty's Province of New Hampshire in New Eng[d]

A Proclamation. —

His Majesty's Royal Commission Constituting & appointing me Governor & Commander in Chief in & Over his Majesty's Province of New Hampshire in New England in America, having been this Day Publish'd within the s[d] Province. —

I do therefore declare & Publish that all Officers, Civil & Military within the s[d] Province be & are Continued in their Respective Offices, trusts & Employments, & are directed & Requir'd to Use & Exercise all & Singular the powers & authorities to their Several & Respective Offices belonging (untill further Order) of which all Persons are Commanded to take Notice, & to Conform themselves accordingly. —

Given at the Council Chamber in Portsm[o] the 13[th] Day of June in the Seventh year of the Reign of Our Sovereign Lord George the third by the Grace of God of Great Britain France & Ireland King, Defender of the Faith &c[a] J Wentworth

By his Excellency's Command
T Atkinson Jun Sec[ry]

God save the King. —

[5–94]

[*Address of Welcome from the Council to Governor John Wentworth.*]

MAY IT PLEASE YOUR EXCELLENCY.

We his MAJESTY'S most dutiful & loyal Subjects, the COUNCIL of his Majesty's Province of New hampshire, in General Assembly Convened; desire leave to return your EXCELLENCY our most humble thanks for your gracious SPEECH from the Chair;

On this first Public Occasion of approaching your Excellency, Permit us to offer our most sincere & joyful congratulation's on your happy Accession to the Government of this free, loyal & united People, & to express our hopes of a Steady, just & mild Administration under your influence, hopes the more strongly entertained by us from our sense & reverence of your Personal good Qualities, & from a thorough Perswasion & full Confidence in your Excellency's Public heartedness. —

It fills our mind with inexpressible joy, to find the Pleasing hopes we have conceived, confirmed & Strength'ned by your early demonstrations of Affection to your Country, and by your Excellency's first solemn declaration from the Chair to the General Assembly, of your diligent attention & ready Concurrence to every Subject of Importance to the Prov^{ce}

Justly sensible of the inistimable blessings of a free and well orderd Government, we shall on all occasions most heartily and Chearfully second your Excellency's good Purposes; and to the utmost of our Power, endeavor by all Constitutional means to preserve the honor & dignity of the Crown, to Advance the welfare of the Province, and to promote the Ease & Reputation of your Eccellency's Administration —

Your Excellency's Prudence and Goodness, have pointed out to us the most agreeable means of Promoting these very desirable ends, by Recommending to us Unanimity, Wisdom, & Application; herein you set us a most inviting and Powerful example, which we shall endeavor to Emulate by Performing every thing on our Part to Strengthen and improve our happy situation. —

May Sacred & unerring Wisdom direct you in improving the opportunity you Enjoy, of being the instrument extensively and Effectually to diffuse the benevolent Purposes of a most gracious Sovereign; may your Administration be long and happy, & may it ever be commemorated with Gratitude. —

Council Chamber, Portsm^{o}
July 3rd 1767 —

By Order of Council.
Theod^{re} Atkinson jun^{r} Sec^{ry}

Copy. Examined
℔ T Atkinson Jun Sec^{ry}

[See Vol. VII., p. 126. — ED.]

[5-97] [*Action of the House in regard to Counties.*]

The House taking into further Consideration the Dividing the Province into Countys Came to the following Determination Viz

Whereas a Vote lately pass'd in this house for dividing this Province into four Countys the limits of which were Expressed in the Vote which this house Apprehended would be agreeable to & Most Convenient for the People But the Honble his Majestys Council supposed it would be Attended with too great Charges & did not concur with Said Vote But Voted that the Province should be divided into two Countys only making Merimack River the dividing Line This the house having Duly Considered & find it would not Answer the End Proposed by Dividing the Province into Counties which is the Ease of the People In general which in the Case of two Counties only would be very little to a great Part of the Province

Upon Reconsidering this Matter the house (who with great Reluctance) find themselves under a Necessity of Differing in opinion from the Honble Council which they Conceive arises from their more Intimate knowledge of the Minds of their Constituents there Concerns & Connections than the Council Can be reasonably Supposed to have & on this principal Only they are induced to Dissent from the Vote for two Counties only & to prove their Desire to agree with the Council as far as is Consistant with their Duty to those they Represent they are willing to Divide Into three Counties only since their first Proposal is not Acceptable Therefore

Voted That this province be divided into three Counties the Several Courts both the Superior & Inferior Courts to be held in the Several Parts of Each County in such place As will best accomodate the Inhabitants as shall be agreed upon by the General Assembly

The Bounds of the Counties to be as follows Viz

The first County Bounding Northerly by Piscataqua River at the Mouth thereof & up the River to the line between Durham & New Market & by that line & the line between Durham & New market & by that Line & the line between Durham & Notingham & between Notingham & Barington & between Chichester & Barnstead & Between Gilmanton & Canterbury to Winipisiokee River then Down Said River into Merrimack River & Down the Same to the Dividing line between this Province And the Massachusetts Bay then Easterly following the Said Dividing line to the Sea then by the Sea to the Mouth of Piscataqua River where the bound began with that Part of the Isles of Sholes which is in this Province

The Second County Bounding Southerly, by the Northerly line of the first County to the Mouth of Pemigawassett River then up Said

River to Bakers River & up the Same to the head of the South Branch thereof then on a Streight line to Connecticutt River on the South Side of the Town of Orford all on the North or Northeasterly side of Said line to belong to the Second County

The third County to Contain all the Land on the westerly side Merrimack River lying in this Province Not Contained in the other Counties

& that Colo Weare Colo Wentworth & William Parker Esq^{rs} be a Committe of this House to joyn such as shall be Appointed by the Honble the Council to bring in a bill for this Purpose

Copy Exam^{d} M Weare Cl^{r} of the House of Representatives

[5–98]

[*Report of the Committee on Division of the Province into Counties.*]

The Com^{tee} of both Houses Chosen for to Consider of and Settle the most Convenient Lines for Dividing the Province into three Counties and the most Convenient times and Places for holding the Courts Have Considerd that Matter and beg leave to Report That the Lines Proposed by the Vote of the House of the 28th of Augt Last may Answer at Present with the following alterations vizt That there be Added to the North County the Towns of Chichester and Canterbury And Also where Any Town is Divided by Pemigawassett River or Bakers River the whole Township shall belong to the North County. As to the Other two Counties that the lines Remain As Proposed in said Vote of the house Saving that the Townships of Nottingham west Litchfield And Derryfield be Added to the Western County if tho't most Convenient And that the whole of the Township of Bow belong to the Eastern County And that there be held in the North County One Superior Court And One Inferior Court And one Court of General Sessions of the peace in the Town of Dover And one Inferior Court And One Court of General Sessions of ye Peace in the Township of Rochester Yearly

In the west County that there be held one Superior Court And One Inferior Court And one Court of General Sessions of the Peace in the Township of Merrimack And one Inferior Court And One Court of General Sessions of the Peace in the Township of Walpoole Yearly

In the Eastern County that there be held One Sup^{r} Court And One Infer^{r} Court And on Court of General Sessions of the Peace in the Town of Portsmouth : One Inferior Court And One Court of

General Sessions of the Peace in the Town of Hampton One Superior Court And One Inferior Court And One Court of General Sessions of the Peace in the Town of Exeter One Inferior Court And one Court of General Sessions of the Peace in the Town of Londonderry Yearly As to the times of holding the Courts Referd to further Consideration

By ordr of ye Comitte

Dl Warner

In Council Septemr 23rd 1767.

Read & Concurrd — so far as relates to the Lines for dividing the Province into Three Countys, but the Council cannot with Honor join with the Honorable Assembly in Voting the Constituting & Establishing of Courts & the times & Places of their Sitting in the several Counties Proposed, as that would be an Infringement on the Prerogative of the Crown, & Vested by his Majestys Commission in his Excellency with advice of his Majestys Council, & with whom the Intire right of such Nominations & Appointments Constitutionally Appurtain. T : Atkinson Jun Secry

[See Vol. VII., p. 141. — Ed.]

[*Atkinson to Trecothick.*]

[Belknap Papers, Vol. I., p. 185.]

Portsmo N Hampr Novemr 24th 1767

Sr We are now to acknowledge the rect of your Favr of the incloseing the Province Accot & acquainting us of the Sale of the Province Interest in the Stock we are Daayly takeing up our Paper Currency & Shall freequently be Drawing but Shall take care not to over draw — we Shall embrace the earlyest oportunity in Laying your Letters & Accots befor the General Assembly at their next Setting when we imagine they will Settle them to mutual Satisfaction the last Period for redeeming our Paper Currency by the Acts for Emitting it is the 25 of December next when we Shall be Able to assertain what may be then out Standing & if our Present Tax & the money in England will not redeem the whole the Genll Assembly must endeavour after some Expedient to effect that end — we must now repeat our Desires that you would Send on the Province Accot Insured the following Perticulars Viz the last Volls of the Statutes of England which was Printed after those you formerly Sent us Also A Ream of Best Fooles Cap Paper Cutt

500 Large Wafers for Provce Seal bigness of Patern
1000 best Quills —
50 Sheets or Skins of Parchmt or Vellum for writing Comissions on
a Sett of Small Money waits for a Standerd for the Treasurer & a pr Small money Scales
Also a Strong Steel Screw Press for making the Impression of the Province Seal you See the bigness by the Patern T A
Copy by Salter D W — J S —

Portsmo May 5th 1768 —

Sr I have only to ad that we shall conform our future Drafts to your last Accot & Shall not draw for more than in your Hands the former Agents Accot being in a Comtees hands to Examine & report upon to the Genll Assembly at thier next meeting which is one day this Month when we shall write you fully on those Accots We pray what we wrote for by Salter as above may be Shipd Yours
Copy ℔ Capt Chivers T A

[5–99]

[*Deposition of Isaac Colton, of Springfield, Mass., About Counterfeiters.*]

Province of } The Declaration of Isaac Colton of Springfield in
Massts Bay } the County of Hampshire & Province aforesd Gent:

That some Time in the Summer last past he was at a Place called Chesterfield in the Province of Newhampshire to demand a Sum of Money due to him from one Joshua Howe. That the said Howe is a person who has been convicted of counterfeiting Money and afterwards broke Goal as the Declarant has been informed and verily beleives. That the said Howe told the declarant one Thomas Colton had stolen a set of Tools and Stamps from him the said Howe and was gone to Rhode Island as the said Howe believed to one Esquire Casey at Little Rest, and the said Howe further said that after his breaking Goal he was at Esquire Caseys and from him and his Brother he the said Howe had received 500 Dollars for instructing them in making Money that the said Howe carried a German with him who came from Philadelphia and whilst the said Howe was at Caseys the said German disappeared and Casey told Howe had run away but that the said Howe had since heard the German was at Mohawk River at Work for Casey.

The Declarant further saith that he afterwards went to little Rest

while the Court was sitting there and was at Esquire Caseys house and asked the said Caseys Wife if Thomas Colton had been there and she replied he had and mentioned the Time which was soon after the Time Howe said the said Colton had stole the Tools and Stamps.

The Declarant further says that soon after Esquire Casey came home and the Declarant lodged at his House and asked the said Casey whether he understood the Transmutation of Metals. The said Casey replied that he understood it but he had lost his House some Time ago and was not able to be at the Expence and that it would require a steady fire of three Months. The Declarant further asked Casey if Howe had been there. Casey answered Yes. The Declarant then asked Casey whether Howe understood Transmutation. Casey replied he pretended to but others understood it better than he.

The Declarant further saith that he saw at the same Time at Little Rest Noah Colton brother to Thomas Colton and Noah told the declarant that the said Thomas had been at Little Rest and said Noah further said that he said Noah had been up at the Mohawk River upon Business Esquire Casey was concerned in there

Isaac Colton

Sworn to the 27 February 1768

Before T Hutchinson Ch: Just:

Province of } The Declaration of Isaac Colton of Springfield in
Mass^{ts} Bay } the County of Hampshire & Province aforesaid Gent:

That in the Month of July last he was at Chesterfield a new Settlement in the Province of New Hampshire adjoining to Connecticut River, where he saw one ——— Brown who the declarant was informed and verily believes lives at Dover in New York Government near Hudsons River. That Brown told the declarant he had been to Cohass on the West Side of Connecticut River to Glazier Wheeler and that the said Brown had paid Wheeler 60 Dollars viz in two Payments of 30 Dollars each for tools and Stamps which Wheeler was making for the said Brown which Tools and Stamps the Declarant understood and verily believes were designed for counterfeiting Money. The Declarant further saith that soon after he saw Wheeler and Brown together at Chesterfield and after they had parted with each other the declarant asked Brown if he had got the Tools. Brown replied no, Wheeler had not steel enough and he expected to have finished them at Chesterfield but he was afraid it would make a

Noise. The Declarant further saith that he was again at Chesterfield aforesaid in the Month of November last when and where he saw one Lieutenant Snow of said Chesterfield who told the Declarant the said Brown was gone home to New York and had carried with him the compleatest Press and set of Tools he the said Snow ever saw. The said Snow thereupon took a Dollar out of his Chest and asked the Declarant if he thought it was a good one. The Declarant replied he thought it very good. The said Snow then said it was one of Glazier Wheeler's make and had not more than a quarter part Silver in it and the said Snow being asked by the declarant how he knew it replied he knew it very well. The said Snow's Wife being present asked her Husband why he would tell of it he replied he knew Colton and he would not discover them. The said Snow further said to the declarant that one Sawyer was gone with Brown to assist him and understood making Money as well as Howe did

Isaac Colton

Sworn to the 27 February 1768
Before T Hutchinson Ch: Just.

[5–100] [*Another One.*]

Province of } The Declaration of Isaac Colton of Springfield in the
Mass^{ts} Bay } County of Hampshire & Province aforesaid Gent.

That one Joshua Howe divers Years since was prisoner in his Majesty's Goal at Springfield having been convicted of making and uttering false or counterfeit Spanish Dollars. That the said Joshua being indebted to the declarant, who was keeper of the Goal aforesaid, for Prison Charges he offered to give the declarant a Deed of a Tract of Land in Westmorland in the Province of New Hampshire which the declarant accepted, but soon after found that the Land belonged to the Brother of the said Joshua. That the said Joshua finding the Fraud to be discovered gave the declarant his promissory Note for forty Pounds lawful Money. That within the Space of twelve Months the last past the Declarant has been several Times at Westmorland aforesaid in order to recover his Debt from the said Joshua & particularily was there on Thursday the 18 Instant, and has always found the said Joshua there were he lives in a small House with a Wife & two Children. That the declarant saw a Number of Peices of Money in Imitation of Spanish Cobbs or hammered Pieces of eight in the Hands of the said Joshua which the declarant is very certain were all Counterfeit and the said Joshua told the declarant

he would run them over again & put in something which would make them of a better Colour. This the declarant saw in June last. The Declarant further saith that in November last he saw two Stamps for making Pieces of Money called Pistarines — which the said Joshua took out of his Chest and by the ratling Noise he verily believes there were divers other Stamps mixed with them. And when the declarant was at Westmorland the 18 Instant he saw the said Joshua Howe have a small Bar of Metal which the declarant verily beleives was bad metal and mixed for the Purpose of making Counterfeit Money. That at the same Time viz. the 18th Inst. one Benjamin Leonard of Springfield went to Westmorland with the declarant and came from thence in Company with him as did also one Joel Ely of the said Springfield. That the said Benjamin Leonard was in private with the said Howe at Westmorland and soon after the said Leonard shewed the declarant a Dollar which, Leonard said, Howe paid him and afterwards three more Dollars which the declarant told the said Leonard were counterfeit. The declarant at the same Time saw Leonard have a small Bar of the Base Metal which he said he had from Howe and thereupon the declarant told Leonard that the Dollars were the same Sort of Metal with the Bar. The Declarant also saw the said Joel Ely, since their being at Westmorland together, and some Day in the last Week, at Springfield, have in his Hands two small Bars of this same Sort of Metal which the said Joel said he had from the said Howe.

The Declarant further saith that one Snow of Chesterfield was at Westmorland the last Time the Declarant was there. The Declarant does not know his Christian Name but he is called Lieut[t] Snow. That the said Leonard Ely & Snow were often in private together. That the said Snow said he had been at a great Deal of Expence for Howe to procure him Tools & that about a Fortnight before he had paid four Dollars and a half for one Tool to draw Bars just the Thickness of a Dollar The said Snow mentioned the Name of the Tool but the Declarant has forgot it.

The Declarant further saith that the said Joshua Howe has told him at Westmorland aforesaid that the said Joshua Howe with one Quarter part only of Silver could make Dollars that would never be discovered that he had a Press at a small Distance from his House for making Money and the said Howe urged the declarant to procure a Quantity of what he called Drugs which he said might be had at the Apothecarys for giving a bright Colour to the Metal

Isaac Colton

Sworn to the 27th Feb: 1768

Before T Hutchinson Ch Just

[5–101]

[Captain Thomas Bell's account for "Graveing the Castle Barge and Oather things found the Boat." Allowed May 26, 1768. — Ed.]

[5–106]

[*Report of Committee on Road from Durham Falls to Coös.*]

Province of } Pursuant to an Act of the General Assembly of
New Hampshir } Said Province passed in the forth year of his Majestys Reign appointing and impowering Us the Subscribers as a Committee to Lay out & make Return into the Secretarys office of a good passable high Way from Durham Falls to Cohos in Said Province

Agrable to Said Act we have laid out & marked Sd Way beganing at durham falls & from thence Runing to Madbury Meeting House from thence about N. W. to Barrington then thro Barrington by Levi Daniels house — from thence over the Bridge at Bow Pond Mill from thence about N W to Barnstead and then thro' Barnstead as the High Way is Cut to Gilmantown from thence thro' Gilmantown by the South Side of the Revd Mr Wm Parsonses house thence about N W. to a Hemlock tree Marked with the Letter H then as Said way is Marked to Lemuel Rands House from thence as Said way is Marked to Joseph Badgers Junr Land that he is now Clearing from thence to the Bridge or Wares as the Road Was Before Laid out from thence thro' New Salem about N W. to Land Call'd the Gore from thence thro' Holderness by the house of Samll Livermore Esqr from Said Livermores to Bryent Swaineys from thence West about thirty Degrees N. to Pemidgwasset Rever then across Said Rever to Plymouth about thirty Rods above David Websters house from thence by Said Websters house as the way now is to Bakers Rever at the wading Place from thence to Campton and thro' part of Campton to Rumney as the way is now Marked, then thro' Rumney as Said Road is Marked out to Wentworth then over Bakers River About one Mile below the falls from thence as Said Way is Marked to Warren and Runing thro' Said Warren about North West as Said Way is Marked to Piermont then thro' Piermont as Marked to Haverhill and to the Oliverian Mills in Haverhill and from thence Northerly to Capt John Hazzens at Said Cohos. — In Laying out Said Way we have Strickly Pursued the Prescriptions and Directions Given us in Said Act except Where Mountainous Land & other impediments Obliged us to Deviate there from July 13th 1768

Richd Jenness 3d } Committee
John McDuffee }

[5–107]

[*Petition from the House of Representatives to the King.*]

To The Kings most Excellent Majesty—

The Humble Petition of the House of Representatives of your Majesty's Province of New Hampshire — Shews That your Majesty's Loyal and Dutiful Subjects the Representatives of your Province of New Hampshire, with the most profound Humility, and the deepest Sense of Duty and affection Beg leave to Supplicate your Majesty, and to present our most Gracious Sovereign a View of the Grievances & Distresses under which your Majesty's good Subjects of this Province at present Labour —

We Esteem it the happy Priviledge of all your Majesty's Subjects in all the Difficulties & Distresses they feel wherein your majesty may give Relief, to have free Liberty to approach the Royal Presence with those Supplications which they hope will prove Effectual —

And we do not Entertain the least Fear or Suspicion that your remote American Subjects are or ever will be excluded from that Priviledge —

We most heartily and Sincerely profess our Allegiance to your Majesty of which we trust our Conduct & Behaviour has always given the clearest Evidence, the Obedience & affection of the People of this Province to your Majesty and your Royal Predecessors, has we apprehend never been called in Question, or in any Measure doubted.—

Our Ancestors from England transplanted themselves to this Country at their own Expence, they brought over with them their Natural allegiance to the Crown of England with an inseperable unalienable Right to all that Protection of their Liberty & Property to which all Liege Subjects of the British Empire are Intitled. — After they had Conquered the Savages of the Wilderness at an almost incredible Expence of Blood & Treasure & Settled themselves in a Country which on their first Arrival they found a howling Wilderness — your Majesty's Royal Predecessors as a proper Reward of their Labour & Peril in extending the English Empire were pleased to grant them a Power of Legislation, limited to the approbation or Disallowance of the Crown with the Power & Priviledge Essential to British Liberty of raising internal Taxes by their own Representatives, which Priviledge & Right, they, from the first erecting a Government here, and we after them have enjoyed till the late Acts of Parliament, Enacted for the Sole & Express Purpose of raising a Revenue in America, — Which Acts we wou'd humbly Represent to your Majesty are Subversive of those Rights & Liberties which our ancestors so dearly purchased. —

We do by no Means dispute the Authority of the British Legislature, we have ever been & Still are Obedient to all acts of Parliament regulating the affairs of your Majesty's Subjects in general & the due Administration of Justice without Complaint. — But we cannot but be Sensibly Affected with the Loss of that Advantage, without which we are no longer free men, nor can have any Claim to the peculiar Glory & Boast of the Subjects of the British Empire, which is the Absolute Disposal of their Own Property, But these Acts tax us without our own Consent & Deprive us so much of Our Property as in Virtue thereof is taken from us without our Voice and Contrary to our Priviledges as Englishmen. And we humbly apprehend our Complaint in this Respect cannot justly be imputed to us as a Fault or tending to Disloyalty or Disaffection to Government for we humbly apprehend we Should be unworthy the Character of your Majesty's Subjects and Englishmen if we had not Sensibility to perceive the happy Constitution of Government we live under & to deprecate the Loss of it. —

The Assemblies of this Province have Always readily complied in a Constitutional way with every Requisition from your Majesty to Contribute to the utmost of their ability for the Defence of any of your Majesty's Dominions, and we beg leave to represent to your Majesty the Hardships and Impropriety that our Property Shou'd be granted by the House of Commons of Great Britain in which we are not nor can be represented who bear no part of the Burden of the Taxes they are pleased to grant to be levied on us & who by their local Situation, & want of a Seasonable intimate knowledge of the Circumstances of this Country are unlikely to fix upon the most Expedient & equitable Method of levying Taxes here. —

We humbly Apprehend that Taxes being imposed on us by way of Duties on any of the necessaries of life or in any other Manner whatsoever without our Consent must necessarily Terminate in the total Loss of our Liberty and Distruction of our Property — And most Humbly beg leave to Suggest that in ev'ry Instance, wherein your Majesty's Subjects are unconstitutionally deprived of their just Rights your Majesty's Government is weakned. —

Wherefore in full & humble Confidence of your Majesty's paternal & impartial Regard to the Happiness and Tranquility of all your Subjects, We are Encouraged to make this humble Application, and to intreat your Majesty would be graciously pleased to take our Petition into your wise Consideration, & grant us Such Relief therein as to your Royal Wisdom, Shall Seem Meet, And we Beg leave to add that it is our earnest Prayer to the Supreme Governour of the Universe that all kinds of Blessings may be granted to your Majesty and your

Royal Offspring And that all your Subjects may be long happy under your Auspicious Reign. — October 29th 1768 —

By Order of the House of Representatives

A Copy — P Gilman Speaker

N. B The Original went ℔ Capt Scot Via Boston —

[5–108]

[*Petition of John Wendell, of Portsmouth, in Behalf of the Inhabitants of the New Hampshire Grants.*]

Province of } To his Excellency John Wentworth Esqr Captain
New Hampse } General, Governor & Commander in Chief, in, and over his Majesty's Province aforesaid, & Vice Admiral of the same in Council

The Petition of John Wendell of Portsmouth in the Province aforesaid Esqr as Agent to the Committee, appointed by the Voices of more than One thousand Grantees, claiming Lands under New Hampshire Grants on the Western Side of Connecticutt River which by a late Order of his Majesty in Council were annexed to the Government of New York, Unto Your Excellency and the Honourable Council humbly shews ;

That your Petitioner's Constituents and their Principals, have preferred their Petition to his Majesty in Council, by their other Agents William Saml Johnston & Samuel Robinson Esquires, setting forth the many hardships they labour under, and the Interruption they have met with in the Settlement of their said Grants : and as Your Petitioner has since heard of the Death of Samuel Robinson one of their said Agents, he greatly fears the Cause of his Constituents and their Principals will suffer, as his personal Evidence was necessary, as well to support their Allegations, as to vindicate his own Reputation, which had been injuriously attacked, and to remove any Prejudices that any such Imputations may have made in the Minds of ye Ministry, purposely thrown out to discredit him and his Cause. — Your Petitioner in his said Capacity begs Leave to represent unto Your Excellency and the Honble Council, that his Constituents and their Principals consist of more than one Thousand Families, who have removed themselves from ye full setled Towns in his Majesty's other Governments to seek their Support by Cultivating of the unimproved Lands in the inhospitable and savage Wilderness : they had not the Presumption to doubt the Right of the late Governor of New Hampshire to grant them these Lands, as they always understood them to

be within the Jurisdiction of this Province, and they cannot but express their Grief and Concern, that his Majesty has been pleased to annex their Grants to the Government of New York, as their local Situation from the Metropolis of y^t^ Province, is too distant for the due Administration of Justice and the other Purposes of Government; besides the Monopolies of such large uncultivated Tracts of Lands granted to a few Men reduces the Settlers to a State of Vassalage and Dependancy: Your Petition^r^ in his said Capacity is authorized to assure your Excellency & Honours: that they and their families had rather remove themselves than remain under the jurisdiction of a Government, the Constitutional Form of which, is greatly different from that which they have been accustomed to, But if it should be the Will & Pleasure of their gracious Sovereign to reannex them to his Government of New Hampshire, they beg leave to assure your Excellency & Honrs they will diligently apply themselves to a Settlement of their Grants and very soon make a respectable Appearance, to the Advancement of his Majesty's Revenues and the Enrichment of their present poor families Your Petitioner prays Your Excellency and Honours to lay the state of their Grieviances before his Majesty and his Council, & to interceed in their Behalf, that if his Majesty should be pleased to determine their said Grants shall continue within the Province of New York: That in that Case the Governor of that Province should be directed to regrant the same to the Original Grantees, without any further Expence: which if he should be allowed to create by heavy Fees, will have a Manifest Tendency to compleat the Ruin of many poor, indigent & distressed families now labouring under the most afflicting Discouragements: through from the known Clemency of their august Soveriegn, they will presume to hope a Redress of all their Grieviances, especially if countenanced by your Excellency and honours just and kind Representation of their righteous Cause,

Your Petitioners begs leave to assure y^r^ Excellency that it is the present Ambition of his Constituents and they wish for nothing more ardently than that his Majesty would be graciously pleased to suffer them to reap the Benefit of y^r^ Excell^cys^ mild Administration of Government for which happy Event, he and they as in duty bound shall ever pray — John Wendell

Portsm^o^ Novr 30th 1768.

[5–109] [*Petition of James Hudson, Salt Manufacturer.*]

Province of New Hampshire —

To his Excellency John Wentworth Esq[r] Governor & Commander in Chief of the Province aforesaid to the honourable his Majesty's Council & House of Representatives the Petition of James Hudson humbly sheweth that for a number of Years your Petitioner has been much employ'd in prepareing the way to Manufacture Salt in this Country that in England he has been at Expence of time & Money in acquainting himselfe with that Art that he has erected very large & Commodious Buildings for carrying on the said buisness that he has for more than two Years been immediately engaged in the Buisness & has made considerable Progress therein in somuch that he has been able to supply a great number of the Inhabitants of New Hampshire as well as the Massachusetts with their Salt which is in great Estimation that he is detirmind to pursue his plan & if possible to enlarge his Works which he apprehends must prove very beneficial to the Province of New Hampshire as he is quite contiguous thereto Wherefore he humbly Prays your Excellency & Honours will favour his undertaking & grant him such assistance as in your Wisdom shall seem Meet and as in duty bound will ever pray

James Hudson

In Council Jan[y] 19, 1769 Read & orderd to be sent down to the Hon[ble] House recommended Geo : King D Sec[y]

[Endorsed] Dismiss'd

[5–110] [*Proclamation in Regard to Deserters.*]

Province of New Hampshire — } By his Excellency John Wentworth Esq : Captain General Governor and Commander in chief in and over His Majesty's Province aforesaid in New England and Vice Admiral of the same —

A Proclamation —

Forasmuch as I have received a Complaint from his Excellency Major General Gage, commander in chief of all his Majesty's Troops in America, and from Brigadier General Pomroy, commanding his Majesty's regular Troops now station'd at Boston, that sundry Private Soldiers belonging to the Regiments under his Command, had deserted therefrom, and made their Escape ; and had been concealed & entertain'd in some parts of this Province, particularly in and about

Londonderry, which being a direct violation of the Law, and greatly prejudicial to his Majesty's Service — to prevent which evil and unlawful practice —

I have thought fit, by and with the advice of his Majesty's Council to issue this Proclamation, hereby prohibiting all Persons, within this Province concealing, harboring or entertaining any of the said Soldiers, as they would avoid Prosecution, and the penalty prescrib'd by the Law in such Cases, also hereby strictly enjoining and requiring all officers Civil and Military and all other his Majesty's Subjects within this Province to use their utmost endeavors to apprehend any and every Deserter from his Majesty's Troops that are or may be concealed within this Province — And that no Person may be ignorant of the Law, I have orderd and directed that the clauses of the Act of Parliament for punishing Mutiny and Desertion — be printed and Published with these Presents.

Given at the Council Chamber at Portsm° the 23rd day of March in the Ninth year of the reign of our Sovereign Lord George the Third by the Grace of God of Great Britain France and Ireland King Defender of the Faith &c^{a} and in the year of our Lord Christ 1769

By his Excellency's Command J. Wentworth

with advice of Council.

T Atkinson Jun Sec^{ry}

God save the King.

[5–111]

[*Petition of Samuel Hall of Portsmouth, for Damages.*]

To his Excellency John Wentworth Esqr Governor & Commander in Chief in & over his Majesty's Province of New Hampshire, the Honble his Majesty's Council & House of Representatives for said Province, in General Assembly conven'd the 15th Day of March 1769 —

The humble Petition of Samuel Hall of Portsmouth in said Province Truckman. — Sheweth — that Your Petitioner hires & improves the Land where & near the Gallows was erected on which Ruth Blay was executed & had the Year past made a considerable Quantity of new fence & Stone Wall, that by Reason of the great Crowd of People & Dirtiness & Wetness of the Season his fence was broken to Pieces, & Stone Wall thrown down, his Meadow Ground Poached & trod to pieces by the Horses, & great Damage done by Reason of the said Execution to the said Lands & fences not less than ten Pounds

That it is a great Hardship that your Petitioner Should be a Sufferer by the Execution of a Criminal, the Charge of which is defrayed by the Public — Wherefore he humbly prays that his Case may be considered & Damages allowed him as aforesaid.

Samuel Hall

Province of
New Hamp^{r} } In Council March 29th 1769

Read & Order'd to be sent down to the Honble House

T : Atkinson Jun Sec^{ry}.

Province of
New Hamps^{e} } In the House of Representatives Ap^{l} 4th 1769

The Above Petition Read And Considerd, And Voted That it be Dissmiss'd

M Weare Cl^{r}

[5–112] [*Petition About Boundary Lines for Counties.*]

To the Governor, Council and Assembly of the province of new Hampshire

We Inhabitants of part of the Society Lands Hillsborough & Heneca in said Province Are Humbly of Opinion that fixing the boundaries of the second County so call'd in this Province, was the Effect of Great Prudence & consultation they agreeing Extreemly well with Nature —

We therefore Pray that there may not be one Town Annexed to this County as We are conscious that such a thing if Done will be Attended with sundry Inconveniences — We as in Duty bound will ever pray — Dated April 10th 1769

Amos Goold	Ben^{n} Clark	John mills
Ebenezer Gile	Joseph Clark	Alexender Robson
Joshua Gile	John Sargent	wilaim Robeson
Noah Gile	Josiah Ward	Joseph Robeson
Johnson Gile	Jacob Whitcomb	John mcCalley
David McKillips	Adonjiah Tyler	Isaac Baldwin
Ezekiel Stone	Silas Barns	James Taggart
Willam McLeen	James Joslin	Samuel Bradford
Daniel Weily	William Presbory	Timothy Bradford
John Boman	William Eastman	Joshua Estey
Henery Cood	Eliakim How	Jonathan Dam
Ephraim Abott	thomas Stone	Benj^{a} Lovejoy
Ephraim Clark	Thomas Stone	Samuel Bradford Jun

Robert Taggart
Daniel mᶜmurphy
james Nichols
fileip neley
William Pope
Abijah Lovejoy
James Stone
Jeffery donough
Archibald taggert
William Williams
William forsaith
Joseph Mills
Nathan Taler
Samuel Bradford 3ᵈ
Benjⁿ Lovejoy Jun
wilaim Clark
Isaac Andrews
Anthony moran
Joshua Meed

[5-114]

[*Petition of Dr. Hall Jackson of Portsmouth for Allowance for Money Expended for a Sick Soldier.*]

To his Excellency John Wentworth Esqʳ Captain General, Governor, and Commander in cheif, in and over his Majestys Province of New Hampshire and Vice Admiral of the same — And to the Honorable his Majestys Council of said Province

The Petition of Hall Jackson of Portsmouth in the Province of New Hampshire Physician, humbly sheweth, that on or about the sixth Day of May last past, one James Killpartric (formerly a soldier in his Majestys 77ᵗʰ Regiment but discharged for being under sized as appear'd by certificat from Colᵒ: Armiger) came to the house of your Petitioner in his way to the Eastward, in a most pitifull and necessitous condition, having several large and deep Abscesses on different parts of his Body, and an African worm of several feet in length in each of his Legs, attended with a continual Fever, that he was absolutely incapable of proceeding any further on his Journey, and must have perished in the street (the weather being very Stormy) had not your Patitioner with the advice of the Honbˡᵉ Theodore Atkinson Esqʳ put him to some lodgings, as no person would entertain him on his own Account, that your Petitioner provided him a place at Mʳ Alixander Hunter's, That during his stay, he was confined to his Bed for the most part of the time with a continual, and violent Fever, all of which time your Petitioner attended him as a Surgeon opened his Abscesses, extracted the worms from his Legs, provided him with Medicines, and compleated his cure so that he departed the Province in perfect health tho' incapable of paying one farthing of the expence; whereby the whole charge of his Sickness has fell on your petitioner, as he was obliged by his promise to pay the said Hunter for his nursing and Diet, That your Petitioner is advised by a Law inserted in the new edition of the Province Laws, page (195), that such expence shall be paid out of the Province Treasury, by warrants from your Excellency, & Honours;

Your Petitioner therefore, most humbly prays that your Excellency and Honors would take this into your consideration, and grant such relief as in your wisdom you shall think meet —

Hall Jackson

1769 Doct^{r} Hall Jackson to Alixander Hunter D^{r}
May To 7 Weeks nursing and Dieting one James Killpartrick a
June stranger, by his desire and request @ 12/
&c lawfull Money £4–4–

Portsmouth November 30th 1769

Errors Excepted ℔ Alex^{r} Hunter

James Killpartrick to Hall Jackson D^{r}
To 7 Weeks Attendance and Medicines &c £1,, 10,, 0 L M^{y}

Portsmouth Novr 30 1769

Errors Excepted ℔ Hall Jackson

A List of Men Run from His Majesty's Ships in Boston Harbour as Undermentioned —

SHIPS NAMES	MENS NAMES	Quality	Age	Stature	Complexion	Place of Abode	Single or Married
Salisbury	Jn° Harris	Ab	28	5.6½	Fair	Liverpool	Single
	Jam^s Higgins		30	5.6	brown	Portsmouth	D°
	Chas Robinson		26	5.6½	Sandy	London	D°
	Dav^d Mahoney		30	5.5	Swarthy	Corke	D°
	Jos: Alcock		26	5.2	Pale	London	D°
	Thos Dryden		26	5.7	Swarthy	Kingsale	D°
	Jam^s Stafford		30	5.9	D°	York	D°
	Jos: Nidler		28	5.6	brown	Norway	D°
	Thos Lovett		30	5.6½	D°	Dublin	D°
	Jn° Connell		40	5.4½	Swarthy	N° Hampton	D°
	Jn° Hadsman		26	5.7	D°	Liverpool	D°
	Jn° Burckley		27	5.4	brown	London	D°
	Jn° Driscoll		26	5.6	Swarthy	Dublin	D°
	Jn° Ething		24	5.4	D°	West Chester	D°
	Jn° Manning		25	5.7	brown	Littlehamp^n Suss^x	D°
	Ant^y Merry		26	5.7½	Swarty	Leghorn	D°
	Dav^d Lynch		25	5.6½	brown	Corke	D°
	Jn° May		35	5.4	very Swarthy	Exeter	D°
	Jam^s Childerly		22	5.4	brown	London	D°
	Ant^y Dent	Bos: M^t	32	5.7	D°	Exeter	D°
	Robt Eding	Ab	29	5.4½	Swarthy	Dartford kent	D°
	Wm Marshall		25	5.4½	D°	Durham	D°
	Dav^d Jacks		29	5.4	black	Leith	D°
	Jn° Taylor 2^d		40	5.6½	Yellow	Hall York^e	D°
	Wm Boyce		22	5.4	Dark	Haverford W^t	D°
	Geo: Collins		38	5.6½	Pale	Copenhagen	D°
	Richd Dickman		27	5.8	brown	Aberdeen	D°
Salisbury	Jam^s Harvey	Ab	22	5.5	Dark	London	D°
	Lang^n McDonald	sail M^rs M^t	40	5.8½	Fresh	Dingwell Ross°	D°

	Jam^{s} Forth	Ab	29	5.6½	Dark	Bristol	Single
	John Bell		35	5.4	Swarthy	Dartford Kent	D^{o}
	Thos Sleaford		29	5.5½	Light	Rutford Nott^{e}	D^{o}
	Jos^{h} Usher		25	4.10½	Brown	Boston Lin^{e}	D^{o}
	Richd Hore		19	5.5	Pale	Waterford	D^{o}
	John Bently		36	5.7½	Swarthy	York	D^{o}
	John Kenny		26	5.8½	D^{o}	Waxford	D^{o}
	Wm Gough		25	5.7½	fair	Bishop Gate Lond^{n}	D^{o}
	Bar^{w} Higgins		22	5.6½	brown	Newry	D^{o}
	Chris^{r} Sothren		22	6.0	D^{o}	Dublin	D^{o}
	D^{d} Richardson		25	5.6½	Sandy	Edinburgh	D^{o}
	Geo: Metcalf		24	5.9	Pale	Leeds	D^{o}
	Jno Sullings	Marine Corp^{l}	24	5.7	dark	Coggeshall Essex	D^{o}
	Wm Holland	Private	21	5.7	brown	Sutton Kent	D^{o}
	Nathl Bates		33	5.5½	D^{o}	Tamworth Wor^{e}	D^{o}
	Jno Sitch		28	5.7	dark	Cradley D^{o}	D^{o}
	Hen^{y} Warden		31	5.6¾	brown	Blackwell Som^{e}	D^{o}
	Wm Timewell		23	5.6½	fresh	Willington	D^{o}
Boston	Newcoat Thomas	Ab	35	5.5	Dark brown	Somerset^{e}	
	Pat^{k} Cavenagh		27	5.6½	Light brown	Ireland	
	Jno Benny		36	5.6	D^{o}	Essex	
	Jam^{s} Young		20	5.6	Brown	Ireland	
	Jam^{s} Glinn		34	5.7	Sandy	D^{o}	
	Walter Elfound Alias Aylward		29	5.5	Dark	D^{o}	
	Corn^{s} Driscoll		34	5.6	Sandy	D^{o}	
	Malcom Martin		34	5.4	Black	Glasgow	
	Murd^{k} McCawley		40	5.8	Sandy	Scotland	
	Alex^{r} Cushing		36	5.10½	Brown	Scotland	
Gibraltar	Jam^{s} Laddy		25	5.6	D^{o}	Montserat	Single
	Dav^{d} Croan		21	5.3¾	D^{o}	Dublin	D^{o}
	Thos Cablin		25	5.5	Light brown	Marvel head	Married
	Wm Butcher		23	5.5	fair	Lynn Norfolk	Single
	Danl Kelly		35	5.5	Brown	Cork	Married
	Danl Brady		32	5.3¾	fair	Dublin	D^{o}

[*Deserters from Ships in Boston Harbor. — Concluded.*]

SHIPS NAMES	MENS NAMES	Quality	Age	Stature	Complexion	Place of Abode	Single or Married
Gibralter	Jn° Croaley		41	5.5	black	Bombay / E[t] Indies	Married
Rose	W[m] Berry		25	5.5	Swarthy	Piscataway	Single
Beaver Sloop	Jn° Conner		28	5.7	D°	Ireland	D°
	Jn° Collins		22	5.10½	D°	Sandown / N: Hampshire	D°
Viper Sloop	Tho[s] Mathias		22	6.0	fair	Milford Wales	D°
Senegal	Fra[s] Piquet		34	5.6	Sandy	London	
	Geo. Sage		27	5.4	fair	Biddeford	
	W[m] Ford		22	5.7	Dark	Topsham Devon[e]	
	Sam[l] Cowlam		20	5.5	fair	Hull York[e]	
	Hugh Stevens		20	5.7	D°	Falmouth Corn[l]	
	W[m] Appleby		24	6.0	Swarthy	Carlisle / Cumberland	

J. Gambier

[6–2] [*Proccedings in the House, Sent to Agent Trecothick.*]

A motion was made that the Address to his Majesty which was prepared some time past but has not yet been Sent should now be forwarded to the Agent with a letter to him Directing him how to proceed with the same the Question being put it passd in the Affirmative

the Address is as follows

[Here follows the petition as given under date of October 29, 1768, page 585 of this volume. — Ed.]

the following letter to the Agent was Sent with the Address Viz

Province of New Hampshire Portsmouth April 11th 1770

Sir the Assembly of this Province being Sensible of the Burdens and hardships which his Majestys good Subjects here as well as in his other Provinces & Colonies have sustaind by the late Acts of Parliament which have Succeeded the Stamp Act thot it their duty to their Constituents to Present their Humble Petition to his Majesty to Represent their Sense of the Situation they were in by the Operation of those Acts. That it was matter of great grievance & humbly to pray for that Relief which as Loyal & dutiful Subjects from his Majestys known Clemency & goodness they had just grounds to Expect and did Accordingly prepare the address herewith presented but by some Accident Occurring it was not Sent at the time Designed yet they judged it proper to send it to you now & ordered me so to do with this Instruction as their Agent that if the Acts Referrd to are repealed to Suppress it — If not to present it That if it has no other Effect it may at least Demonstrate that we have Sensibility feel the Oppression and are much Aggrieved as well as others with the weight of the General Burden — and hope it may Serve as a Remembrancer that we Acted in Concert with our neighbors to Obtain a Removal of the burdens under which we groan and it is their Earnest Request that you use every Loyal Measure for Obtaining the Desired Relief

I am Sir Your most Humble Servt

by order of the house of Represens

Barlow Trecothick Esqr

A Copy of Record in the journal of the house of Representatives for the Province of New Hampshire attest William Parker Cler.

May it Please your Excellency

Enclosed is the Petition prepared & Sent to the Agent & the Letter accompanying of it To which no answer has been sent even so

much as Acknowleging the Receipt which the house think a great neglect & Slight of them & Discovers a kind of Contempt — the Speakers name was not Enterd to the letter because it was not Signed when the letter was Enterd & was forgotten afterwards or was not Signed when the Clerk was in Town Mr Wear being then Clerk I am Your dutiful & humble Servt
his Excellency the Govr — William Parker

[6–3] [*Committee to Examine the Bills of Credit.*]

Province of New Hampshire

In the House of Representatives Decr 17th 1770 Voted That Jacob Sheaff John Sherburne Samuel Hobart Esq^rs^ be a Committee of this House to Join with Such as Shall be Appointed by the Honble his Majestys Council to count the Bills of Credit of this Province which are now in the Treasury to be burnt & lock up the Same in the Province Strong box & make report to the General Assembly as Soon as may be Sent up by Maj^r^ Wright

[On the reverse is written]

An Act to Authorize the Treasurer of this Province to Borrow Money for ye Use of ye Province to Redeem the Bills of this Province which yet Remain in Possession of Private persons, And to Apply the same Accordingly — And to give Notes of hand as Treasurer in behalf of the Province to Secure the repayment of the Money which shall be so Borrowd And Also to Authorize the Treasurer to give his Notes as therein Directed for Redeeming any of Said Bills which the Sum that shall be so Borrowd will not be Sufficient to Redeem —

[6–3½] [*Instructions to Governor Wentworth*, 1770.]

GEORGE R

Seal Additional Instruction to Our Trusty and Welbeloved John Wentworth, Esquire, Our Governor and Commander in Chief in and over Our Province of New Hampshire in New England in America. Given at Our Court at St James's the Tenth day of December, 1770, in the Eleventh Year of Our Reign.

Whereas a Proclamation was issued by You Our Governor of Our Province of New Hampshire on the 2^d^ of March 1769 for ascertain-

ing the Value of Gold and Silver Foreign Coin current in the said Province; and whereas it appears, that the said Proclamation is not warranted by the Act of Parliament, passed in the Sixth Year of the Reign of Her late Majesty Queen Anne, entitled "An Act for ascertaining the Rates of foreign Coins in Her Majesty's Plantations in America", and is therefore void in Law without Revocation; It is Our express Will and Pleasure, and you are hereby required and enjoined to take such Measures, with the Advice of Our Council for the said Province, as shall be necessary and effectual for putting an immediate Stop to the Operation of the said Proclamation; and if it shall appear to you and to Our said Council and Assembly to be necessary to make Provision by Law for the preventing any Prejudice to private Persons from any Transactions which may have passed under Colour of the said Proclamation, It is Our Will and Pleasure, and We do hereby permit and allow, that you do give your Assent to such Law, as shall be passed by the said Council and Assembly for that Purpose./ G. R.

[6–4]

[Thomas Bell's account for supplies furnished to the Fort, January 9, 1771. Allowed April 2. — Ed.]

[6–5] [*Dissent of Peter Livius from Vote of Council*, 1771.]

Province of
New Hampshire } In Council 19th March 1771. —

The Governor having desird the advice & consent of Council for the granting to his own use thro' the intervention of other Persons, all those Lands that were granted or reserved to the late Governor, The Grants thereof being, as the Governor alledg'd, void & of no effect in Law: & the Council having accordingly advis'd & consented thereto, I do dissent from the said Advice & Consent for the following Reasons —

1st Because these grants were made at different times in a long course of Years, being the fruits of twenty five Years Service of the late Governor, & supposing them void it would be out of all Reason that they should be all granted in one hour to any other Person

2d Supposing these Grants void in Law, Apices Juris non sunt Jura, & it would be most agreable to the gracious & mercifull manner

in which his Majesty deals with his Subjects, & especially with his Servants, rather to confirm & ratify the grants made to the late Governor in his lifetime, than for a defect in form to vacate them, & grant the Lands to another,

3d Because these Grants have not been vacated in a due Course of Law & the Council is not a Court to declare them void.

4th Because many Purchasers under the late Governor have made great Improvements, & several have laid out their whole Substance on some of these Grants, these Men after many Years toil & Labour on the Lands would be ruind should the Lands be granted to another

5th Because the Opinion & Reasoning of Counsel learned in the Law has been read for vacating these grants, while no Counsel has been suffer'd on the part of the Purchasers of the late Governor, & it is very improper to give Judgment on hearing only one Side.

6th Because the Grants to the late Governor are not void in Law! The Custody of the Great Seal of England does not incapacitate the Keeper thereof from receiving a Grant under the Great Seal, neither can the Custody of the Seal of this Province incapacitate the Governor or Keeper thereof from receiving a Grant under the same Seal, especially as there is no other Method in this Province of making a Grant from the Crown.

7th Because by the Royal Commission the Governor with the advice & consent of Council is impowerd to grant the Crown Lands, with the Council & Assembly he can make Laws & levy money & appropriate it even to his own use, as is every Year done in every Government on this Continent in the matter of the Governor's Salary: Yet if this position be true that the Governor cannot make a Grant or appropriation to himself but what is & ought to be declar'd null & void, All the Governors who have receivd any Money in this way, have receiv'd it illegally, & ought to refund it which nobody I suppose will affirm

For these Reasons I humbly conceive it utterly inconsistent with that Loyalty & Fidelity which is suppos'd to have brought us all hither, & with the Justice we owe all Men, to advise or consent in the manner desir'd; Forward as I have ever been to support the Dignity & necessary powers of Government, I cannot assist in rendering the Royal Authority subservient to private &, as I think, unworthy purposes: & I pray these my Reasons of Dissent may be enterd on the Journals — Peter Livius

Province of }
New Hamp^{r} } In Council 13th June 1772 —

Peter Livius Esqr having dissented from the Proceedings of the Council on the 19th of March 1771 and his Dissent being admitted on File, the Council, though they will not at present condescend to enter into a full Refutation of each Particular therein minutely, yet think it necessary to take some Notice thereof, and therefore resolve.

That Mr Livius has wholly misrecited the Questions laid by his Excellency the Governor before the Council for their Advice, and that it appears to the Council that the said Mr Livius did in this Instance wilfully depart from the Truth with Design to form a Pretense of placing the Conduct of His Excellency the Governor & Council in this transaction in a disadvantageous light, and that he was actuated in making & framing his Dissent by that Principle only in a Manner unworthy of a Member of the Council Board.

That the said Dissent contains Allegations, Insinuations & Reflections which are untrue, unjust and unbecoming; Therefore that the sense of the Council may accompany this Dissent, Resolved unanimously that this Minute together with the exact Questions proposed by His Excellency the Governor to the Council, and upon which only they did advise, be annexed thereto, and be signed by the Secretary of the Province, and every Member of the Council who was present when the said Questions were proposed: — And likewise that they may be a standing Justification of his Excellency the Governor and Council from the Falsities and injurious Aspersions uttered and intended against them by the said Mr Livius in his Dissent.

The following is an exact Copy of what passed between his Excellency the Governor & Council on the 19th of March 1771, recorded by the Secretary of this Province, & now perfectly remembered and confirmed to be just and true by each Member of this Board then and now present, —

His Excellency the Governor informed the Board that in sundry of the Charter Grants of Townships of His Majesty's Lands in this Province, there were reserved five Hundred Acres for the late Governor Benning Wentworth Esqr in each of the said Townships, then asked the Opinion of the Council, whether the said Reservations being made to the said Benning Wentworth conveyed the Title of said Tracts to him the said Benning Wentworth? to which the Council gave it as their Opinion that it did not convey the Premisses they being made to Himself: — His Excellency then asked the Council if they would consent to and advise him to grant the said Tracts to

such of his Majesty's subjects as should settle and cultivate the Same &ca — To which the Council did consent and advise

Theodore Atkinson
Dl Warner
Jonathan Warner
Daniel Rindge
Daniel Peirce
Geo : Jaffrey
Daniel Rogers

This certifys that the Extract above referred to is a true Copy from the Journal of the Proceedings of the Governor and Council of the Province of New Hampshire

examin'd by Geo : King Depy Secy

[6–6] [*Letter from Trecothick to Atkinson*, 1771.]

London 25th April 1771

Theodore Atkinson Esq

Sir I have the pleasure to acquaint you, that after much repeated Solicitation I have at last obtained a Vote of the House of Commons for the Sum of £6009,, 13,, 3 to reimburse the province their expence so long since incurred as 1756 — which will be paid some time this year — at the Treasury they say not till Autumn — but you shall have imediate Advice of the payment & of the deductions —

The Earl of Loudon to whom this demand was last referred has been so particularly civil to the province that I think it my Duty to inclose you a Copy of his Report, remaining with great Respect & Esteem —

Sir Yr most obedt humle servt
Barlow Trecothick

[6–7]

[*Writ for Election of Representatives, and Sheriffs' Report*, 1771.]

Province of New Hampshire in New England — Seal } George the Third by the grace of God of Great Britain France & Ireland King defender of the Faith &c,,

To the Sherif of our province of New Hampshire aforesaid.

We Command you forthwith to make out Precepts, directed to the following Towns, Parishes and Precincts — Vizt Portsmouth, Hampton, Dover, Exeter, Newcastle & Rye jointly, Kingston, Hampton

Falls, Newington, Stratham, Londonderry, Durham, Greenland, Newmarket, South Hampton, Chester, Plaistow & Atkinson and hampstead jointly, Holles, Sommersworth, Merrimack, Rochester, Kensington, Barrington, Salem & Pelham jointly, Amherst and Bedford jointly, Keene, Winchester, Charlestown, Nottingham West and Litchfield jointly,

all within our province of New Hampshire aforesaid, requiring them to cause the Freeholders of their respective Towns, Parishes and Precincts as before recited, legally qualified to Assemble at such Time and place as the Select Men shall respectively appoint; Except the following Places vizt Newcastle and Rye whose Freeholders legally qualified, are to assemble at Newcastle — and Plaistow, Atkinson and Hampstead whose Freeholders are to Assemble at Hampstead, also Salem and Pelham whose Freeholders are to assemble at Salem — also Amherst and Bedford whose Freeholders are to assemble at Amherst — also Nottingham West and Litchfield whose Freeholders are to assemble at Nottingham West,

The said Freeholders being notified Fifteen days before the day of their Meeting, then and there to Elect fit persons qualified by Law to represent said Towns, Parishes and precincts in General Assembly by us appointed to be convened and holden at the Court House in Portsmouth aforesaid on Wednesday the Twenty second day of May next, at Ten of the Clock in the, forenoon — Viz^{t} Three persons for Portsmouth, Two for Dover, Two for Exeter, Two for Hampton, Two for Newcastle and Rye to be chosen at Newcastle, One for Kingston, One for Hampton Falls, one for Newington, one for Stratham, one for Londonderry, one for Durham, One for Greenland, One for Newmarket, one for South hampton, one for Chester, one for Plaistow, Atkinson and hampstead, one for Salem and Pelham, One for Holles, One for Barrington, One for Somersworth, One for Merrimack, one for Nottingham West and Litchfield, one for Amherst and Bedford, One for Rochester, one for Kensington, One for Keene, One for Winchester, One for Charlestown,

And to cause the persons so elected, by a Major part of the Electors present at such Elections to be summoned by one of the Constables of said places respectively to attend on said Service in General Assembly at the Time and place herein before appointed, and so de die in diem during their Session or Sessions, and to return the said precepts with the Names of the respective persons so elected, to yourself — whereof you are to make return, together with this Writ under your hand, into the Secretary's Office at Portsmouth aforesaid and of your doings thereon, on or before the aforesaid 22nd day of May next.

In Testimony whereof We have caused the Seal of our said province to be hereunto affixed Witness John Wentworth Esqr our Governor and Commander in chief in and over our province aforesaid, this 19th day of April in the Eleventh year of our Reign Annoque Domini 1771 J' Wentworth.

By his Excellency's Command with advice of Council
Theodore Atkinson Sec^{ry}

Province of New Hampshire } Pursuant to the aforesaid precept to me directed I have Issued precepts to the Several Towns Parishes & precincts as in this writ directed & commanded who have each made return unto me of the Several Persons whom they have elected to serve in the aforesaid General Assembly vizt

Portsm^{o} Wm Parker Esqr Jno Sherburne Esqr & Mr Jacob Sheafe. —
Hampton Christopher Toppan Esqr & Josiah Moulton Gent^{n}
Dover Otis Baker & John Gage Esq^{rs}
Exeter Capt John Giddings & John Phillips Esqr
New Castle & Rye Thomas Bell Esqr for new Castle Richd Ginings Junr Esqr
Kingstown Co^{ll} Josiah Bartlet Esqr —
Hampton falls Capt. Jonathan Tilton
Newington Major Richard Downing Esqr
Stretham Andrew Wiggin Esqr —
London Derry Colonel Stephen Holland Esqr
Durham Doctor Ebenezer Tompson
Greenland Clemont March Esqr —
Newmarket Capt Isrel Gilman —
South Hampton Capt Eliphalet merrill —
Chester John Webster Esqr —
Plaistow & Atkinson & Hampstead Capt Jonathan Carlton
Holles Maj^{r} Sam^{ll} Hobart —
Somersworth Co^{ll} John Wentworth —
Merrimack Capt John Chamberlain
Rochester Decon James Knowles
Kensington Benj^{a} Row Esqr —
Barrington Leu^{t} Sam^{ll} Brewster —
Salem and Pelham Maj^{r} Joseph Wright
Amherst and Bedford Colonel John Goffe Esq :
Keene Mr Benj^{a} Hall returned by Jno Parker Sheriff of the County of Rockingham ye 20th May 1772 —
Winchester — Colonel Josiah Willard Esq :
Charlestown Mr Simeon Olcott —

Nottingham West And Litchfield James Underwood Esqr
all the persons aforesaid I hereby return to be the Persons elected for the severall Towns ag^{t} which their Names are placed — Given under my Hand at Portsm^{o} the 22^{d} Day of May A D 1771

Thos Packer Sh^{r}

[6–8]

[*Road from Pemigewasset River to Dartmouth College.*]

Province of New Hampshire Octr ye 30th 1771

Pursuant to our Appointment by Act of Assembly we have laid out and Marked a Road from Pemigewasset River to Dartmouth Colledge in the following Manner Viz We Began at David Websters by s^{d} Pemigewasset river, running from thence W. 32° N. 280 rod to a Hemlock tree. From thence W. 22° S. 68 rods to a spruce tree. From thence W. 5° N 3 quarters of a Mile to David Nevins. From thence W. 15° S. 70 rods to Silas Browns From thence S. 40° W. 75 rods to a Birch tree. from thence S. 18° W. 56 rods to the Widow Snows. from thence W. 40° S. 4 miles to the line between Plymouth and Cokermouth From thence W. 60 rod to Saml Hazeltons. From thence W 12° S. 100 rods to a Birch tree From thence S. 45° W. 66 rods to James Goulds From thence W. 13° N. 254 rods to Ebenezer Melven. From thence W. 32° N. 4 Miles and half to a Beech tree. From thence W. 10° N. 260 rods to the line between Cokermouth and Dorchester, from thence W. 260 rods to a Birch tree. From thence W. 23° S. 1 mile to a Birch tree. From thence W. 4 Miles to a Hemlock tree. From thence W. 15° N. 1 mile and 3 quarters to a Hemlock tree standing in the line of Canaan and Hanover. from thence N. 43° W. 190 rod to a Hemlock tree. from thence W. 30° N. 180 rod to a Hemlock tree from thence W. 15° N. 1 mile and half to a spruce tree. From thence W. 10° S. 200 rod to a Maple tree on Moose Mountain, from thence W. 3° N. 2 miles to the spot appointed for a Meeting House in Hanover From thence W. 3° S. 4 miles and half to the Colledge. The whole Computed at 30 Miles and 3 quarters. And is laid for 3 rods wide —

John House
Jonathan Freeman
and for David Hobbart

[6–9]

[A plan of the above road on a scale of one inch to a mile, by Jonathan Freeman. — Ed.]

[6–10] [*Complaint from Custom House Officers*, 1771.]

To his Excellency John Wentworth Esq Capt General Governor and Commander in Chief, in and over the Province of New Hampshire &c &c —

We the Subscribers Principle Officers of his Majesty's Customs in this Province beg leave to inform your Excellency that on the 26th Instant Richard Keating Master and Commander of the Brigantine Resolution then in this Port, Came to this his Majestys Custom house and entered said Vessel from St Lucey & St Martins, but did not enter One hundred hogsheads of Molasses or thereabouts then on board with design to defraud the King of the duties due thereon in Consequence of which we Seized said Brigantine and the Molasses then on board agreable to the Laws, and put the Officers belonging to the Customs in possession of said Vessel and goods to Secure them — that on the 29th Ins^{t} between the hours of Eleven and Twelve O Clock at night there entered on board of said Brigantine a Numerous Company of Men in disguise Armed with Clubs, and wrested said Vessel out of the hands of the proper Officers then on board, turned Some of them out of the Vessel and Confined others in the Cabbin, then proceeded to unload and Carry away the Molasses aforesaid — Wherefore we pray that your Excellency will be pleased to take some method that Said Rioters may be discovered and apprehended in order that they may be delt with agreable to the laws in that Case made and provided —

Custom house Piscataqua — Geo Meserve Collect
October 31st 1771 — Rob Traill Cmp

[6–11] [*Governor's Proclamation in regard to the Foregoing.*]

Province of New Hampshire } By his Excellency John Wentworth Esq: Captain General Governor & Commander in chief in and over his Majestys Province aforesaid & Vice Admiral of the same.

A Proclamation.

Whereas I have this day received an Information or Complaint, exhibited by the Collector and Comptroller of his Majesty's Customs for the port of Piscataqua, in the said province, Setting forth, "That "on the 26th October instant, Richard Keating, Master & Commander "of the Brig^{t} Resolution then in this Port came to his Majesty's Custom House & enter'd said Vessel from St Lucia & St Martins,

"but did not enter One hundred Hogsheads of Molasses, or there-
"abouts, then on board, with design to defraud the King of the Du-
"ties due thereon ; In consequence of which they seiz'd said Brig^{t}
"and the Molasses then on Board, agreeable to the Laws, and put the
"Officers belonging to the Customs in possession of said Vessel &
"Goods to secure them and that on the 29th ins^{t} between the hours of
"Eleven and Twelve o'clock at night, there enter'd on Board said
"Brigantine, a numerous Company of Men in disguise, Armed with
"Clubs and wrested said Vessel out of the hands of the proper Offi-
"cers then on board, turned some of them out of the Vessel, & con-
"fined others in the Cabbin, then proceeded to unload & carry away
"the Molasses aforesaid, Wherefore they pray'd that some method
"might be taken in order to discover and apprehend any of the
"Rioters aforesaid, that they may be dealt with agreeable to the Laws
"in that Case made and provided" —

I have therefore thought fit by and with the advice of his Majesty's Council to issue this Proclamation hereby promising and engaging a reward of Two hundred Dollars to be paid out of the Treasury of this Province to any Person or persons who shall voluntarily inform of, and discover any of the principal Actors or Abettors of the aforesaid illegal, & riotous Transaction, so that they may be convicted thereof ; & in case such person or persons who shall inform as aforesaid shall be a party, concern'd therein (except the Principal) they shall hereby be exempted from any prosecution for the same, —

Given at the Council Chamber in Portsm^{o} the 31st day of October in the Twelfth year of the Reign of our Sovereign Lord George the Third by the grace of God of Great Britain France and Ireland King Defender of the Faith &c. Anno Domini 1771.

By his Excell$^{cy's}$ Command } J' Wentworth
with advice of Council — }
Theodore Atkinson Sec^{ry}

[6–12] [*Memorial of John Cochran*, 1771.]

Province of } To his Excellency John Wentworth Esqr Cap-
New Hampshire } tain General, Governor & Commander in Chief of said Province, in Council

The Memorial of John Cockran Esqr Commandant of His Majesty's Fort William and Mary — humbly sheweth —

With due submission Your Memorialist begs leave to represent the State of the said Fort — that the Wood-buildings within the Garrison are very insecure against Fires especially the Dwelling House in

which he & his Family reside, the Chimney being in bad Condition, as is evident by a recent Accident, when it took fire, & put them in eminent danger — Also the Soldier's Barracks in which They are oblig'd to keep constant Fires, being so contiguous to the powder Magazine renders their Situation extremely hazardous ; and much more so on Account of the powder Magazine itself which is greatly out of repair : Besides the small Number of Soldiers in Garrison who are quite insufficient, not only for Garrison Duty, but especially shoud any Accident of Fire take place — And even these Men on present pay cannot be expected to remain after their Time expires (which will be in the Spring) at the low rate of Wages & billeting now allow'd — He would Also represent the great Want of suitable Boats for the Use of the Fort — the Old Barge being much damag'd by a late Storm, when a Vessell in the Harbour runing foul, drove her from her Moorings and stove the Boat almost to pieces, so as to render her unfit for repair —

Wherefore Your Memorialist prays your Excellency would take into Consideration the dangerous Condition of the Fort while these Things are wanting — that some provision may be made therefor and an Addition to our Number of Soldiers with further Allowance for billeting & Wages — which will animate us in the future steady Attention to our Duty — And Your Memorialist will ever pray &c[a]

Copy John Cochran

Fort William & Mary 20[th] December 1771 —

[6–13] [*Committee on Fort William and Mary.*]

Province of
New Hampshire } In the House of Representatives January 2[d] 1772 —

Voted That Col[l] Phillips, Col[l] Toppan and M[r] Sheafe be a Committee of this house to Joyn with Such as the Hon[ble] Council Shall apoint to Examine the acco[ts] of the Charge for Repairs of the Fort William and mary to Liquidate & adjust Said acco[ts] according to Justice and make Report as Soon as may be

Sent up by D[r] Row Attest W[m] Parker Cler

Province of
New Hampshire } In the House of Representatives Jan[ry] 20[th] 1771 [1772]

Voted on the Petition of Londond Petion[r] be dismist

Thursday Jan[ry] 16[th] 1772 — Journal & all papers much exposed by being left on the Table — & the Lobby door Open — O Strange — Jacob hope he see better times by & by

[6–14]

[*Petition to Make Strafford and Grafton Acting Counties.*]

To his Excellency John Wentworth Esquire Captain, General, Governor and Commander in Chief, in and over his Majesty's Province of New Hampshire in New-England and Vice Admiral of the Same; And to the Honorable His Majesty's Council of said Province convened in the Council Chamber at Portsmouth January 22^{d} — 1772 —

This Memorial of the Subscribers most humbly Shews,

That since the Province was divided into Counties, the Counties of Strafford & Grafton have greatly increased in Inhabitants and Agriculture — That the Division of the Province into Counties daily calls for special Laws suited to County Conveniences, which are not (perhaps cannot be) so framed, as to suit the Interest of inactive Counties; but carry their Riches into active ones. A recent Instance thereof, is, a Law made this Year, pointing what Money is paid at the General Quarter Sessions for Licences, Fines &c, (not peculiarly reserved to the King) into the County Treasury, for County Uses —

That if the Counties of Strafford & Grafton were acting Counties, it would greatly facilitate the Peopling the Government, and be a Means of adding Strength, Riches and Obedience thereto, when Law is duly administred in the Interior Parts of the Province —

Whether the holding County Courts on the Eastern Banks of Connecticut River in the County of Grafton would not produce some pleasing, and real Advantages to the Government, is most humbly submitted to your Excellency's & Honors better Judgment: and we pray to be excused for giving this Hint; & the rather as it is without Representation —

The Collecting County Taxes from a People who do not conceive of any Advantage they receive therefrom, serves only to agitate the Mind on disagreeable Objects — And We have understood that a Second Tax of this Nature, is to be issued in February next —

The Town of Dover provided Timber some time since, for building a Town House; which is still unused from a Principle (adopted since the County Act took place) that a Structure more noble, and Convenient for that, and holding County Courts, could be built under one Roof, with a Considerable saving to both the Town and County —

Not to weary your Excellency & Honors with a further Detail of Matters: — As we conceive the Intention of the Silence of those Counties by the County Act, has been fully attended to; We most humbly pray, that you would be pleased in your wonted Goodness, to

Enfranchise the said Counties of Strafford and Grafton with the Priveledges of acting Counties, (or Strafford at least) and your Petitioners as in duty bound will ever Pray &c[a]

John Gage	Otis Baker	Samuel Brewster
Jn° Wentworth	Ebenezer Tomson	James Knowles

[6–14½] [*Instructions to Governor Wentworth*, 1772.]

George R. Additional Instruction to Our Trusty and Welbeloved (L. S.) John Wentworth Esq[r] Our Gov[r] and Commander in Chief in and over Our Province of New Hampshire in New England in America, Given at Our Court at S[t] James's this fourth Day of February 1772 In the twelfth Year of Our Reign.

Whereas Laws have been passed in some of Our Colonies and Plantations in America, by which the Lands, Tenements, Goods, Chattels, Rights & Credits of persons, who have never resided within the Colonies where such Laws have been passed, have been made liable to be attached for the recovery of Debts in a manner different from that allowed by the Laws of England in like Cases, and Whereas it hath been represented unto us that such Laws may have the consequence to prejudice and obstruct the Commerce between this Kingdom & Our said Colonies and to affect the public Credit ; It is Our Will and pleasure that you do not on any pretence whatever give your assent to, or pass any Bill or Bills in Our Province under your Gov[t] by which the Lands, Tenements, Goods, Chattels, Rights & Credits of Persons who have never resided within Our said Province shall be made liable to be attached for the recovery of Debts due from such persons, otherwise than is allowed by Law in Cases of the like nature within this Our Kingdom of Great Britain, until you shall have first transmitted unto Us, by one of Our Principal Secretaries of State the Draught of such Bill or Bills & shall have received Our Royal Pleasure thereupon, unless you take care in the passing of such Bill or Bills, that a Clause or Clauses be inserted therein suspending and deferring the execution thereof, until Our Royal Will and Pleasure shall be known thereupon. G R.

[6–15]

[*Petition for Road from Conway to Connecticut River*, 1772.]

Province of New Hampshire } To His Excellency John Wentworth Esqr Captain General Governor & Commander in Chief and the Honorable His Majestys Council

The Petition of the proprietors of Lancaster Northumberland Shelburn &c Humbly Sheweth

That your petitioners own lands between Conway and the upper Cohass & upon Connecticut River in said Cohass, which are Granted to us under terms of cultivation & settlement in which duty they are insuperably obstructed for want of Roads from Conway to Connecticut River on the east of the White Hills, whereby communication may be made to Portsmouth about One Hundred Miles nearer than by the present, or any other course. By such Road only can that Country be settled — Wherefore your Petitioners in behalf of themselves & the other proprietors of the aforesaid & adjoining Country, pray Your Excellency & Honors would be pleas'd to order the Surveyor General of Lands for this Province to survey & mark a proper road & issue such further order for making it passable as to your Excellency & Honors shall seem requisite to relieve your petitioners & advance the general good of the Province & your petitioners as in duty bound shall ever pray &c

Portsmouth March 2 1772

D Peirce	Robt L Fowle	John Penhallow
Nathl Treadwell	Js. Rindge	John Hurd
M Weare	A R Cutter	Thomas Macdonough Agent for Paulsburgh and Maynesburgh
Jacob Treadwell	Danl Fowle	
Jno Martin	Jotham Rindge	

[6–16]

[Bill from Thomas Martin, against the Province, of £3. 18. 2. — Ed.]

[6–17]

[*Petition from James Breckenridge, Representing Inhabitants of New Hampshire Grants*, 1772.]

Province of New Hampshire } To His Excellency John Wentworth Esqr Capt General, Governor and Commander in Chief in and over his Majesty's Province aforesaid, the Honourable his Majesty's Council & house of Representatives in General Assembly Convened

The petition of James Brackenridge of Bennington, now within the Jurisdiction of the Government of New York, in behalf of himself and some thousands of Inhabitants, settled between Connecticut River and a North line drawn, at Twenty Miles Eastern distance from Hudson's or Albany River — Humbly Shew

That your Petitioners Entered upon & became Setlers and Inhabitants of a Considerable part of the said land Claiming the same by virtue of Charter patents issued by the Governor and Council & under the seal of New Hampshire aforesaid, that they began in the year 1749 and Continued their improvements & Cultivations from that time when the said patents issued till the year 1764 — when they were happy in the Enjoyment of the produce of their farms, and never had the least Notice or Mistrust that Either the title, to the land or the Jurisdiction of the Government would Suffer any Alteration, neither did the Government of New York give the least warning, till his Majesty's aforesaid determination in the year 1764, at which period began our Misfortune and Loss of all Quiet, our Situation since that time has been a Continual scene of trouble & Affliction Occasioned by their frequent Lawsuits, Indictments, Imprisonments and Locations &c —

Your Petitioners further beg leave to Inform your Excellency and honours that they have some time since petitioned his Majesty for Redress, but imagine our petition being from persons in a private Station had not Sufficient weight to Reach his Majesty's Royal Ear, We would therefore humbly beg your interposition in Addressing his Majesty in our behalf that he would be Graciously pleased to Confirm our titles to the Land, and Restore the Jurisdiction of the Government to his Most Loyal & Most dutiful Subjects of the Province of New Hampshire, And the Petitioners as in duty bound will Ever pray &c —

Portsmouth, May 19th 1772, in behalf of the Petitioners
James Breakenridge

In Council May 20. 1772
Read and ordered to be sent down to the Honble Assembly
Geo : King Dep^y^ Sec^y^

[6–18] [*Memorial from the Province Treasurer.*]

Province of New Hampshire } Treasurers Office June 3d 1772 —

To the Honourable General Assembly now Sitting —

The Province Treasurer beg's leave to represent to the Honble Assembly, that by their Vote pass'd upon his last Accompts rendered the 26th of May last — the Treasurer is injured by reducing the Articles he charged to the Province, for his Service as Treasurer the last year, for providing a Secure place for the Province Money, and an office for transacting the buisness of the Treasury. and Supplying Fewel and other Articles for the Use of the Treasury. and also for reducing the Article of a Small Charge for extra — Service of Exchanging Money and issuing Notes &c. In Consideration of the Attendance given for the Buisness of the Treasury, and risk of Loss, in receiving and paying the Sums which pas't through the Treasury last year; and the Expence of those Articles necessary for the Official Service of the Province Treasury, more especialy if compared with the common allowance for Similar Articles in any other Situation or Character — the Sum Charged by the Treasurer in his last Accompt to the Province, will appear to be greatly Short and much less than he think's in right and Justice he ought to have for the Same and the Treasurer humbly hopes the Honble Assembly will, upon further Consideration think that the Sum's charged to the Province in his last Accot is, at least, due to him for the Services, Risk, and Expence, necessary to the Province Treasury. In granting the Sums mentioned to the Treasurer for his Service as Treasurer for the last year — will oblige their respectfull Humble Servt

Geo : Jaffrey Treasr —

[6–19] [*Proceedings of the House in regard to Road,* 1772.]

Province of New Hampshire } In the house of Representatives June 9th 1772.

Upon a motion being made The house took under Consideration An Extract from the minutes of his Majesty's Council Relative to a Petition Sign'd by D Peirce & others Brot down from the Honble Board accompanying the Said minutes Respecting a Road to be made from Conway to Connecticut River on the East of the White Hills &c — Voted That the Petitioners have Liberty to bring in a Bill for clearing and making passable a Road from Conway to Connecticut River on the East of the white hills where Said Road can best be

made and to Subject the Proprietors of the Several Townships or Tracts of Land already granted to Clear and make passable Said Roads thro' their Respective Townships or Tracts, and if Said Road Shall pass thro' any ungranted lands the Proprietors of Lancaster Northumberland & Shelburne may cause the Same to be Clear'd and made passable at their own charge & render an account of the Cost thereof to the General Assembly, which Account being allowed the Grantees to whom Said Lands may hereafter be granted Shall pay to Said Lancaster Northumberland & Shelburne their part of Such Accounts in Proportion to the part they Shall Obtain of Such granted Lands thro' which the Road passes — Wm Parker Cler

In Council eodem die Read & concurd

Geo: King D Secy

[6–20] [*Lord Hillsborough to Governor Wentworth*, 1772.]

Extract of a Letter from Lord Hillsborough to Govr Wentworth dated the 7th August 1772.

The Letter which you will receive by this Packet from the Board of Trade in Consequence of the Charges exhibited agst you by Mr Livius, and the Nature of those Charges, at least so far as they relate to the personal Injury & Oppression of which he complains, make it equally unnecessary & improper for Me to take any steps at present, with Regard to that Gentleman's seat at the Council Board —

[*John Cochran's Promise.*]

I promise to Deliver Hannah Lesslee a deed of all the Land I Bought of her Provided she pays to me (Within three Years from this date) the sum of Fifty four Pounds Lawfull money with Lawfull Intrest for the Same from this Seventeenth day of October 1772

John Cochran

[6–21]

[Peter Gilman's account "for Sundry Supplys & Disburstments on the Repairs of the House & Powder Magazine & other repairs in Fort Wm & Mary at Newcastle," to November 27, 1772. "Voted & allowed at it stands" — Ed.]

[6–22] [*Hubartus Neal's Report in regard to Road,* 1772.]

Province of New Hamp^{r} Rockingham ss } In Pursuance to the Requast of the Gentelmen Committee apponted by General Court of Said Province, I have Explored the Land for a Road from Conway to Northumberland or Lanchaster and find there may be had a Good Road from Said Northumberland near the Westerly Side of the Mountin that is near m^{r} Paverlys House and Extends Southerly. the Said Road May Leave Lanchaster on the Beach Ridge about two or three miles below m^{r} Paverlys or from near m^{r} Pages old mills in Lanchaster and Run South about thirtey Degrees East on Good Land for a Road free from hills Swamp or boggs to Durand, near the North End of the White Hills then to Run about S 45°, or fifty Degrees East, about three miles and on Good Land for a Road to the Midel of the North Easterly Side of the White hills, then to Run as at first S 30° East betwen the Said White hills and a hill in the addetion of Shaburn on Good Level Land to the Bageg Road marked and Cutt out from Said Conway to Shalburn

then to folow that Road as it is marked, and Cutt out Except Some Short turn Where it may admitt of Some amendment to be made ; to Said Conway Line

this Road Will be on the Easterly Side of Isreals River, and Will not Cross any other River or Stream, that Will be atanded with any Defficulty in fordeing it at any Season of the year, Except a few Day When all Small Stream full of Water When the Snow is Going off

I have in Exploring the Lands for this Road made Such Remarks in my travels that I can at any time find Where to Lay out the Road When I am Desired

and am Gentelmen your most obedent Humble Servent

Newmarket Decr 4th 1772 Hubartus Neal

[6–23]

[*Governor Wentworth, conveying his Defence against the Charges made by Peter Livius. In the Handwriting of Theodore Atkinson.*]

May it please Your Lordships.

In Pursuance of Your Lordships Commands of the 29th of July last, I now beg leave herewith to lay before Your Lordships my Answers to the several Charges, exhibited against Me by Peter Livius Esqr, supported by such Affidavits as appeared to be necessary to Justify my Conduct, and to clear me from any Male – Intention in the points that are complained of.

It will Appear by the Deposition of Mr Livermore Attorney General of this province, who has a Share in the Management of Mr Livius's Affairs, that I made Application to every Body that I could conceive would interfere in this matter in order to interchange Depositions with them as Directed by Your Lordships ; But there being Nobody to Appear on behalf of Mr Livius, nor to Complain for themselves, although I waited two Months for such Appearance. I thought it my Duty to postpone my Answer no longer, and hope Your Lordships will proceed to the Consideration of the Case, in which the Utmost fairness has been Observed — Hoping Your Lordships will see Reason to judge favourably of my Conduct, I humbly beg leave to Subscribe myself with the greatest respect and Deference,

Your Lordships Most Obedient and Most Devoted humble Servt

J : Wentworth

Portsmouth New Hampshire 18 Decr 1772.

To the R^t^ Honble The Lords Commiss^rs^ for Trade & Plantations.

[6–24] [*Defence of Governor Wentworth.*]

The Honble Peter Livius Esq. having dissented from the Consent & advice of his Majesty's Council given to His Excellency the Govern^r^ upon Two Questions he Propos'd to the Council on the 19th of March last relative to Sundry Tracts of His Majestys Lands within this Province which had been granted by the late Govern^r^ the Honble Benning Wentworth Esq deceased to His Majestys Subjects under certain Conditions of Culture Quit Rents &c^a^ in which the Conditions Stipulated not being performed a forfeiture ensued & the Lands to revert to his Majesty to be by Him regranted to Such of His Subjects as Should effectually Settle & Cultivate the Same &c^a^ these Tracts were Surveyd & alloted to the Grantees & are of the Contents of about Six Miles square each & a Plan thereof made & entered on the Back of each respective Charter in which Plans the Said late Govern^r^ ever marked the Places were the S^d^ 500 Acres so reserved should be laid out in Severalty — Now all these reservations (except perhaps 2 or 3 he Exchang^d^ for some conveniency for other Lands &c^a^) remain to this Day without any Culture or Improvem^t^ — it hap'ned Some Days before the Said 19th of March the Governor Met the Council on some other affairs when something was mentioned about the S^d^ reserved Lands but no Question put to the Council or any thing definitive passed thereon but it was determined to lay under Consideration til the next Meeting of the Governor & Council which hapned on the

afores[d] 19[th] of March when his Excellency asked the Council if they were prepared to give their advice on the Premisses who answered that they had Considered the Premisses & were ready His Excellency then introduced his Questions with a relation of the Circumstances of the S[d] reservations Then (in the following Words) asked the opinion of the Council Viz. "Whether Said reservations being "made to the S[d] Benning Wentworth conveyd the Title of the Said "Tracts to Him the S[d] Benning — To which y[e] Council gave it as "thier Opinion that it did not convey the Premisses they being made "to himself — His Excellency then asked the Council if they would "consent to & advise him to grant the Said Tracts to such of his "Majestys Subjects as Should Settle & Cultivate the Same to which "the Council did consent & advise — Peter Levius Esq dissenting" — thus far the Minutes of the Council — but M[r] Levius (not content with his Dissent only & that from all the rest of the Council then Present) insists upon what he calls his Previledge of entering the Reasons in writing on File for so doing and having Since offered the Same in order thereto occasions the following remarks the least observation on which will Shew that he has been beating the air having blended the Two Questions Proposed by the Govern[r] & reduced them into one and otherways grossly perverted the plain meaning of Both — He preface's his written reason afore Said for his Dissent with what he Says the Govern[r] asked the Council & their answer in the Words following Viz

Province of New Hamp[r] } In Council 19[th] of March 1771

"The Govern[r] having desired the advice & Consent "of Council for his granting to his *own Use thrô the Intervention of "other Persons all those Lands* that were Granted or reserved to the "late Govern[r] the Grants thereof being as the Governor Alledged Void "& of none Effect in Law and the Council having *accordingly* ad- "vised & Consented thereto — I do dissent from the S[d] advice & "Consent for the following reasons" — But before any obserations are made upon the Catalogue of reasons it will be Proper at least to compare what his Excellency did propose to the Council for thier advice & what M[r] Levius Says the Govern[r] proposed and what the Council did *accordingly* Consent to & advise such comparason will demonstrate the Cavil of his whole proceedure as well as the disingenuous perversion of the Quotation to which he refer'd —

1 reason M[r] Levius's first reason for his Dissent runs thus Viz — "Because these Grants were made at Different Times in a long "Course of years being the fruits of 25 Years Service of the late "Govern[r] & Supposeing them Void it would be *out of all reason*

"that they should be all granted in One Hour to any Other Per-
" son " —

In remarking on this (1st) reason we would by no means be understood to cast any reflections upon the conduct of that Honble Gentleman our late Govern^r, He is dead but when living was like other Mortalls liable to make Mistakes — but this (1st) reason seems calculated rather to excite Pitty & Compassion than to Shew any Tollerable arguments as a reason for his Dissent it makes no difference whether the *Fruit* for Services was 5 Years or 25 in Collecting if thereby no Title was conveyd neither is there any odds wether the Premisses are *All* granted in one Hour or one Year if they should be granted to other Persons but why Mr Levius excludes the late Govern^rs Family does not appear he has don it, if there is any thing in this his first reason, for not any Thing looks that way either in the Questions put to the Council or thier advice to His Excellency thereon (see the Councils advice above) for any Thing therein containd no reason can be given why the Family may not now (as well as others) obtain Grants of these Lands, — They cannot indeed expect it by way of Fruit for long Services as Govern^r that having been Annually Satisfied thrô Other Channels The Councils Advice was to grant the Premisses to such of his Majestys Subjects as should Settle & Cultivate the same which advice is agreable to the Kings Commission to the Govern^r & from which there can be no legal Deviation —

2d rea Viz " Supposing these Grants Void Apices Juris non sunt
" Jura and it would be most agreable to the gracious & mercifull
" manner his Majesty deals with his Subjects & especially with his
" Servants rather to confirm & ratify the Grants made to the late
" Govern^r in his life Time than for a Defect in Form to vacate them
" & grant the Lands to another " —

2 remark — That his Majesty is gracious & mercifull to his Subjects & Servants is justly acknowledged but Mr Levius would be at a loss to produce one Instance where Land granted under perticular Conditions as Paying Quit Rent & of certain degrees of Culture & improvement with a Perticular Clause in the Deed that upon Falure of performing the Conditions Stipulated the Title should revert to the King with an express right of re-entry & to be Granted to such of his Subjects as should fullfill & perform the Stipulated Conditions &c^a especially as this Case stands where the late Govern^r was both Grantor & Grantee & at the Same Time Guardian of the Kings right to Lands in this Province & had Silently permitted the Breach of every Condition in these Charter Grants to lay unobserved so many Years even Mr Levius would meet Difficulty in producing a Parallel

Case not only mercifully to forgive the neglect but graciously Grant the Lands to the Same Person as the Fruits of his long Service but if his Majesty (on being solicited would be prevaild upon so to do he hath not delegated such Authority to his Govern^{r} & Council here their Power in these Cases are fixed in the Kings Commission to the Govern^{r} & must be the rule observed without any alteration this rule they have followed thô Mr Levius in his Latin Phrase would induce the World believe that *Apices Juris* the *Tricks & Querks* of the Law (a Course Complimen) was what prevaild with the Govern^{r} & Council in the asking & giving the above mentioned advice —

3^{d} reason "Because these Grants have not been Vacated in a Due "Course of Law and the Council is not a Court to declare them "Void" —

3^{d} remark Here the Dissentient Still moves on in the Shade of his first Mistake not attending to the real opinion of the Council (Viz) that the Said reservation made by the late Govern^{r} to himself did not convey the Premisses meaning that no Title by Virtue of Said reservation ever existed — not a Word of vacating — to Vacate a Thing that never had a Being is a Contradiction in Terms — By the Second Paragraph in this 3^{d} reason if he means that the Govern^{r} & Council is not a Court to declare &c^{a} tis odds but the Loyalty & Fidelity he mentions may be & (in Some Measure) will be Questioned whenever he attempts to devest or Infringe the Authority of the Govern^{r} & Council as a Court of Appeals who are allso by Law of the Province a Constituted Court of Chancery & have from the Early Days of the Province exercized that Authority — but in these Cases the Govern^{r} & Council as such are the Guardians of the Kings Property in this Province & had right & Authority to do what they did in the affair

4th reason "Because many Purchasers under the late Govern^{r} "have made great Improvem^{ts} & Several have laid out thier whole "Substance on Some of these Grants, these Men after many Years "Toil & Labour on the Lands would be ruined should the Lands be "granted to another —

4 remark This is groundless & altogether without any Foundation those Tracts (except 2 or 3 which the late Govern^{r} for Some Convenience might Exchange for other Lands in the Townships) have remaind exactly in the State & Condition they were in at the Time of granting the Charters without the least Cultivation or Improvem^{t} or even paying the Taxes or other Charges &c^{a} & have long retarded rather than forwarded the Settlement of the respective Towns if those Lands that have been Purchased by Exchange as above & are improved & Setled doubtless the Possesor will (if desired) be Quieted

by receiving a Grant of such Premisses without being ruined or loosing the fruit of thier Long Toil & Labor —

5ly "Because the Opinion & reasoning of Council learned in the Law "has been read for vacating these Grants while no Council has been "*Suffer'd* on the Part of the Purchasers of the late Governr & tis "very Improper to give Judgment on hearing only one Side

5 rem Whoever reads this (5th) reason must Imagine that there was a Suit at Law in hearing before the Governr & Council as a Court of Appeals & that the Party had had the Benefit & advantage of the Opinion & reasoning of Council Learnd in the Law while no Council had been *Suffer'd* on the Parte of the other & this he says is very *Improper* to give (not an Opinion) but a Judgmt on hearing only one Side &ca this 5th needs no other Notice to be taken of it than recuring to the Preface &ca of these remarks when the whol affair is Truely Stated & only observe that the Intent, the Meaning, & the wording of this (5th) reason Contain such Gross unwarrentable & unworthy reflections upon the Governr & Council that even Mr Levius will be at a Loss how properly to apologize therefor —

6 reason "Because these Grants to the late Governr are not Void in "Law — The Custody of the Great Seal of England does not inca- "pacitate the Keeper thereof from recieving a Grant under the great "Seal neither can the Custody of the Seal of this Province incapaci- "tate the Governor or keeper thereof from recieving a Grant under "the Same Seal especially as there is no other Method in this Prov- "ince of making a Grant from the Crown"

6 remk The first Part of this (6th) reason is only beging the Question — the remainder consist in runing a Parallel between the Custody & Method of useing the great Seal of England & the Custody & Method of Useing the Publick Seal of this Province — and however widely these differ in these respects yet the Dissentient makes them Tally and agree in every Part (observe) the great Seal of England is never affixed to any Grant &ca but by express order under the Prevy Seal his Majesty in Council having first had the proposed Patent (when drawn) laid before him & having approved the Same an order Issues under the Privy Seal to affix the great Seal & this done the Grant &ca becomes Patent now these Patents ever bare Test of the King (thus) Wittness Our Self at &ca in this whole Proceedure not so much as the Name of the Keeper of the great Seal is Mentioned neither has he any Privity or Concern in this Patent unless perhaps in Grants where he is mentioned as a Grantee & in this Method of Proceedure he may with great Propriety be a Party & is no way *incapacitated to receive the Kings Grant* Now observe the Difference In this Prove the Governr by his Commission is expressly appointed the

Keeper of the Publick Seal & to Use the Same for Sealing all Things whatsoever that Pass the Great Seal of our S^d^ Province — & by one other Paragraph in his Said Commission he is impowerd & authorized to grant his Majestys Land in the following Words, Viz — "And We do hereby likwise give & Grant unto you full Power & "Authority by & with the advice of our Said Council to agree with "the Inhabitants of our Said Province for such Lands, Tenements & "hereditaments as now are or hereafter shall be in our Power to dis- "pose of & them to grant to any Person or Persons for such Terms "& under such Moderate *Quit Rents, Services & Acknowledgments "to be thereupon reserved unto us as You by and with the Advice "afore*S^d^ *Shall think fitt* which S^d^ Grants are to Pass & be Sealed by "Our Seal of New Hampshire and being entered upon record by such "officer or officers as you Shall appoint thereunto shall be good & "Effectual in Law against us our Heirs & Successors" The State of the afore S^d^ respective Seals & thier Use thus Truely Stated Speaks for it's Self. it needs no Explanation or Comment the late Govern^r^ had Power to Grant but under Such Moderate Quit Rents Services & Acknowledgments as he the Governor & Grantor should agree with the proposed Grantees for — Ask Mr Levius who in these Cases of the 500 Acres was the Grantor he would doubtless answer the late Govern^r^ ask again who was the Grantee he would readily Answer the late Govern^r^ (or he ought to withdraw his Dissent & his offerd reasons) ask again what agreem^t^ the late Govern^r^ & Grantor made with himself as Grantee, ask once more whether he ever (in the English Dominions) heard of a Deed or Grant of Freehold Land made & Executed without at least Two Parties as Grantor & Grantee Feoffor & Feoffe &c^a^ this Vindication of the Dissentient's Seems rather Mockery & Jest than reason & deserves to be so esteemd & regarded —

7 reason "Because by the Royal Commission the Govern^r^ with ad- "vice of Council is impowered to Grant the Crown Lands, — With the "Council & assembly he can make Laws & Levy Money & appro- "priate it even to his own Use as is every Year done in every Gov- "ernment on this Continent in the Matter of the Govern^rs^ Sallary — "Yet if this Position be true that the Govern^r^ cannot make a Grant "or appropriation to him Self but what is & ought to be declared "Null & Void — All the Govern^rs^ who have rec^d^ any Money in this "Way have recieved it illegally & ought to refund it which no Body "I Suppose will affirm" —

7 remark In this article (as Mr Levius observes) Tis True the Gov- ern^r^ with advice of Council can grant the Crown Lands, but then they must be granted upon such Conditions Services &c^a^ as are men-

tioned in the Kings Commission which being complyed with is his authority & the Grant Valid but if it deviates therefrom 'tis Void & sooner or later will be declared so the King by his Instructions & Proclamation has directed the Govern^{r} to make Grants to disbanded officers Viz to a Disbanded Lieutenant 2000 Acres now suppose the Govern^{r} should make one of these Grants such a Leiu^{t} of 4000 & should reserve 2000 of it to his own Use in this Case there must be something more than Apices Juris to make such Grant Valid so as to convey a Title to his reserved 2000 Acres — These sorte of Grants the Dissentient compares with the Acts or Laws of the Province for granting to his Majesty a Tax for a Supply of the Treasury in these Acts or Grants there ever is a Clause that this Supply shall be drawn out of the Treasury by a Warr^{t} from the Governour with advice of Council & counter Signed by the Secretary & those Warr^{ts} (by an Other Clause in these Acts) are to be drawn Agreable to the Acts Votes or Orders of the General Assembly & these Orders or Warrants are the only Vouchers for the Treasurers Acco^{ts}, every Article in his Acco^{t} without the Support of Such Voucher is disallowed & the Treasurer refunds — not the Govern^{r} who can no more use the Kings Money in the Treasury than a Stranger nor is there any Inststance of the Governor exerciseing such Authority this is the Method by which the Money is & ever hath been Issued from the Treasury & tis Strange that a Member of this Board should be in the least Degree Ignorent thereof —

The Dissentient in his Epilogue discovers an Intention to cast an odium on the Governor & Council "His Words are as follows Viz — "For these reasons I humbly conceive it utterly inconsistent with "that Loyalty & Fidelity which is Supposed to have bro^{t} us all hither "& with the Justice we owe all Men, to advise or Consent in the "Manner desired ; Forward as I have ever been to support the Dig- "nity & Necessary Powers of Governm^{t} I cannot assist in rendring "the Royal Authority Subservient to Private & as I think unworthy "Purposes & I Pray these my reasons may be entered on the Jour- "nals — Peter Livius

7 remark Would not Every Person that reads this 7 article Suppose that the Govern^{r} desired & the Council in Consiquence thereof had passed some resolves that are utterly inconsistent with the Loyalty & fidelity they owed the King & to the Justice due to all men — however humbly he conceivd & bro^{t} forth this Epilogue still with all his Humility its' stuffd with the grossest & Vilest reflections utterly inconsistent with the Truth & this too thrown out upon them in the Capacity of the Govern^{r} & Council collectively the last Paragraph of this Famous or rather infamous Performence seems calculated to

acquaint the world how forward he had ever been to Support the Dignity & necessary Powers of Governm^{t} — what Aid or whether any (by his being forward) was afforded the Support he mentions has never that We know of been taken Notice of & now rests upon his Ipse dixit unless it is in the last words of His illeberal performence where he Says (Viz) "I cannot assist in rendring the Royal Authority "Subservient to private & as I think unworthy Purposes" — And I Pray my reasons may be entered on the Journalls

Here again he crowds in his reflections on the Governour & Council for having rendred the Royal Authority subservient to Private and as he thinks unworthy Purposes this is an Other Instance how he has supported the Dignity & necessary Powers of Government

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[6–26]

[*Memorial of Peter Livius, with Charges against Gov. Wentworth. Copy in Handwriting of Theodore Atkinson.*]

To the Right Honorable the Lords Commissioners for Trade & Plantations —

The Memorial of Peter Livius Esq of His Majesty's Council for the Province of New Hampshire — most humbly Sheweth —

1 That John Wentworth Esquire now Governor of the Said Prov^{ce} with the Advice & Consent of His Council, but without the intervention of a Jury or any previous legal Process, has deprived the Grantees under the Crown of Many large Tracts of Land, and granted them to other persons upon Suggestion only, that the first Grantees had not performed the Conditions of their Grant, as may be seen by the Journalls of the Said Council. —

2 That by an Act of the General Assembly a Certain Duty was granted on foreign Shiping for Providing the Fort in New Hampshire with Powder which Duty is there commonly called Powder Money — that Since the Year 1741 no Acco^{t} has been rendred of it; although large Sums have been received and are Generally supposed to have been appropriated to the use of Private Persons that in the Year 1768 the assembly passed a Vote for an Inquiry into the State of this Money to which Vote the Council would not agree & entered the reasons of their nonconcurrence on the Journals. —

Your Memorialist think^{s} the Said Nonconcurrence very improper desired that he might also enter the reasons of his Dissent which the Governor & his Council refused: as may be seen by the Journals of the General Assembly now in the office here of the 7th & 9th June and 26th August 1768 —

3 That in the Twenty Six Years of the Administration of the late Governor Wentworth (Uncle to the present) many Townships of the Crown Lands each of the Contents of Six Miles square were granted to Persons who engaged to settle them, and in each of the said Townships 500 Acres were granted to the late Governor on the Same Conditions with the other Grantees ; the late Governor died in the Autumn 1770 without Descendants and Devised the whole of His Estate to his Widow — That in the beginning of March 1771 the Present Governor proposed to his Council to advise & consent to the granting to himself, but thro other Persons all the Lands which had been as afore Said Granted to his Predecessor alledging that the former Grants being made immediately to the late Governor were Void, and the Lands remained as if no Grant had ever been made of them ; Your Memorialist observed to him that it would Appear very strange on the Journals, that the Governor should desire these Grants for himself ; The Governor allowed that it would, and added that therefore the Entry need only be, that the Council did advise & Consent to the Granting these Lands to any of the Kings Subjects — Your Memorialist made this observation in hopes that the Governor would have felt the Impropriety of doing, what he allowed unfit to appear, when done ; but he did not seem to feel it ; and in answer to Some objections concerning the Invalidity of the former Grants, he ordered to be read a long reasoning & oppinion of a Lawyer at Boston against the Grants — Your Memorialist then observed that although the Council had no legal Power to give Judgment in such Cases ; yet (if they would assume the Power) Your Memorialist desired that as they had in effect heard Council on the one Side they would Also suffer Council on the Other — this was refused and at subsequent Day it was Voted, as the Governor desired, — That all the Council, (your Memorialist excepted) were nearly connected and related to the Governor. That it Appeared to your Memorialist a very extraordinary Case, that the Title of the Kings Subjects should be thus prejudiced without Judge or Jury without Tryal of any kind, without hearing or even giving her notice, when at the Same Time Council was admitted against her — That Your Memorialist therefore tho^{t} it his Duty to protest but his Protest was never suffered to be entered on the Journals nor even to be put on File 'till near Twelve Months after — That the annexed is a Copy of the Said Protest —

4 That in Consiquence of the opposition he was thus in Duty obliged to make your Memorialist has been very injuriously treated, and at one Time recievd much personal abuse from the Governor but your Memorialist restrained himself by his respect for Government by his Consideration of the ill effect of Any publick resentment at this

Time in New England & by his great Confidence in the Kings Justice

5 That an Action brot in the Common Pleas of the Said Province by Two Executors of Benjamin Plummer against the Executors of Sarah Wentworth the Judges were several Times changed til a Judgment upon a Particular Point was at Length obtained in favour of the Governor ; — That the Said Action thô brought in other Names was for the Benefit of the Governor who had bought the Bond on which the Action was founded as will appear by the Persons now in London who bought the Bond for him. That your Memorialist could have mentioned several other illegal & unworthy Acts, but he forbears taking up too much of Your Lordships Time —

6 That Your Memorialist thought to have further proved severall of the Facts above mentioned by referring Your Lordships to the Copy of the Journals of the Council which he expected to have found in this office but to his great surprize he finds that the Governor the better to keep out of Sight the Practices of himself and his Council has even ventured to disobey his Majestys Instructions & has not Sent the Copy of the Sd Journals of the Council altho' the Same Instructions (as your Memorialist is authentically informed) are regularly Obeyd by the rest of the Kings Governors abroad —

That upon Considering the whole of the Governor's Conduct, there Appears to have been formed a connected and deep laid System of injustice for by the Council's being filled up with his relations by their precluding from the journals the Protest's of the few who might continue Loyal, and in contempt of the King's Command by their keeping it in their Power to alter the Journals of the Council the Governor has been able to do whatever he Pleased without any Possibility of the Kings Ministers being informed of his enormities thrô the usual Channels Your Memorialist therefore finds himself obliged as the Kings faithfull Subject & more Especially as a Person in Trust for the Government of the Said Province to give Your Lordships Notice of such extraordinary Proceedings in full Confidence they will be speedily & effectually redressed — Peter Levius

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[6–27] [*Depositions of Theodore Atkinson.*]

Province of New Hampshire ss Portsmouth December 1772

The Deposition of Theodore Atkinson of Portsmouth in the Province afore Said Esq Testifieth & Saith that he hath been Secretary of the Sd Province from the Year 1741 to the Present Time excepting a Space of about Seven Years when his Son Theodore Atkinson junr

Esq succeeded him in that office & held the same 'tell the Year 1769 when he Dyed & when the Deponant was again reinstated in that office & now Continues in it, that during the whole Time the records of the Said Office were kept in an Apartment of the Deponants dwelling House and all the Bussiness of recording done there, That while the office was under the Deponants Immediate Care both before & ofter his Son's Executing that office the records in every Branch were faithfully & regularly kept & never suffered the least Deviation from the Sence & Meaning of the Votes in the Original Minute Book from whence the records were transcribed that the Usual Method was after ye Council came to a Determination to pass a resolve or Vote for one of the Board or the Secretary to draw the Vote which was frequently altered & amended 'till agreable to the Board & then Voted & entered in the Minute Book from thence it was regestred in the Journal Book & became Matter of record — and the Deponant further Testifieth & Saith that upon the 19th of March 1771 the Governour (with Sundry other Matters he then laid before the Board) mentioned the State of the 500 Acres of Land reserved for the late Governor Benning Wentworth Esquire in the Sundry Charter Grants of Land in this Province — That the Deponant hath critically compared the first Entry in the Minute Book with the record as it Stands in the Journal & they are Literally the Same except one Word Viz in the Minute Book it stands thus His Excellency *acquainted* the Board — In the Journal it Stands thus "His Excellency *Informed* the Board that in Sundry of the "Charter Grants of Townships of his Majestys Lands in this Prov- "ince there were reserved 500 acres for the late Governour B — "Wentworth Esq in each of the Said Townships – then asked the opin- "ion of the Council whether the S^d^ reservations being made to him "the said B — Wentworth convey'd the Title of Said Tracts to him "the said B : Wentworth — To which the Council gave it as their "Opinion that it did not convey the Premisses they being made to "himself — His Excellency then asked ye Council if they would con- "sent to & advise him to grant the Said Tracts to such of his Ma- "jestys subjects as should settle & cultivate the Same To which they "did consent & Advise — Peter Livius Esq dissented — here the affair rested 'till the 26th of March 1771 when the following Minute was made in Council (Viz) "The Honble Peter Livius Esq this Day "Produced his reasons of Dissent from the Councils advise & Con- "sent relative to the Land granted by the late Governour to himself "entered 19th Inst which were ordred to be filed accordingly After this nothing was Past or entered in the Journal of Council relative to the reasons of Mr Livius's Dissent 'till the 23 of Jan^ry^ 1772 when the Council met (Mr Levius being Present) "His Excellency acquainted

"the Board that he had been Informed that Copies of the Dissent of "the Honble Peter Levius Esq filed (the 26 of March 1771) respect- "ing the reservation of 500 Acres by the late Governour to himself "in every Township which he granted — had been circulated by M^r "Livius in A Manner injurious & Derogatory to the Honour of the "Governour & Council whereupon the Council desired his Excellency "to Suspend the Consideration thereof until Wednesday the 26 of Feb^ry next — Agreable to which the Council Met & amoung Other Things "His Excellency the Governour moved respecting the Circu- "lation of Mr Livius Dissent (entered the 23^d Jan^ry) that the True "Minutes of Council as the Same is recorded in this Journal from "the original Minutes of the 19th of March 1771 relative to the late "Governour's 500 Acres reservations be copied & Attested by the "Secretary & the Several Members of the Council Board Concerned "in the Proceedings of that affair and annexed with Some Short "Preface to Mr Levius's Said reasons of Dissent as a full & sufficient answer thereto to which the Council did Consent" — *Mr Levius being Present in Council* after this nothing relative to the affair of Mr Levius's Dissent appears on record 'till the 13 of June 1772 (when the Council being met) the following Vote of Council Past Viz — "The Council this Day thot proper to answer the reasons of Dissent "filed the 26 of March 1771 by the Honble Peter Levius Esq from the "Proceedings of his Excellency the Governour & Council on the 19th "of March 1771 in the Matter of the 500 Acre reservations by the "late Govern^r B: Wentworth Esq &c^a And to order that the S^d "answer be Annexed to & filed with the S^d reasons of Dissent the "Same being previously read & unanimously approved of & attested "by the Signature of the Several Members of the Council" &c^a in the foregoing Deposition is containd the whole that ever passed in Council relative to Mr Levius's Dissent Copyed litterally from the Journal without the least alteration except as above excepted And the Deponent further Testifieth that he never was directly or indirectly desired or asked to make or cause to be made the least alteration of or in any of the S^d records or any Other by any Person or Persons whatever but that the records remain quite clear of all such Practices

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Prov^e N H

The Deposition of Theod^r Atkinson Esq Secretary of ye Province afore S^d Testifyeth & Saith that from the year 1741 when he was first Appointed he constantly Copyed the Journal of the Council

(when Setting without the General Assembly) at ye End of the Sessions or once a year at least & dilivered the Same to the Governor as he understood to Send to England but that when he delivered a Copy of that Journal in June 1760 the late Governor told him twas not worth his while to make such Copys for the future without his Special Directions & the Deponant further Testifieth that he does not remember he ever made any Copys of that Journal after that he understood by his Son who succed him as Secretary that he never made any Such Copys, that your Deponant has carefully examined the S^d^ Journal & cannot find any Mem^o^ in the Margin of the S^d^ Jourdal (which was ever the Practize) & when Such Copys were made out & delivered to the Govr & this the Sole reason no such Copies were made out since the Time of the Present Governour

T A Copy

Sworn to before Sam^ll^ Penhallow Esq Decemb^r^ 1772 —

[6–28]

[*Deposition of Peter Gilman and Thomas W. Waldron.*]

The Deposition of Peter Gilman and Thos Westbrook Waldron Two of His Majesty's Council for the Province of New Hampshire in New England Esq^rs^ Testifieth and saith : That we were respectively admitted and Sworn of his Maj^tys^ said Council after the Time in which the several Charges in Mr Livius's Memorial to the R^t^ hon^ble^ The Lords of Trade and plantations, are represented to have been done. That they do not know that Govr Wentworth ever personally insulted or abused Mr Livius, but that he treated Mr Livius and the other Members of the Council indiscriminately wth respect and Civility That it appears to them the Govr has taken the most liberal Measures for preserving the prerogatives of the Crown and the good order and well being of the province since their being admitted of said Council Also that we do not know that any Minutes of Council have been left open or of any views to alter, erase or conceal any part of their proceedings, either by the Govr or Council or that we are conscious of any attempt or intention in the Govr to influence the Council or any of them in any Matter or thing whatsoever

Peter Gilman
Thos W^k^ Waldron

Province of New Hampshire Portsm^o^ 1st Decr 1772.

Then the above named Peter Gilman and Thos W^k^ Waldron Esq^rs^ personally appeared before me the Subscriber, one of His Maj^tys^ Jus-

tices assigned to keep the Peace thro'out the s[d] Province, & being both duly sworn made solemn Oath to the Truth of the foregoing Deposition. Wyseman Clagett

(Copy.)

[6–29] [*Deposition from Seven Members of the Council.*]

Province of New Hampshire } The Deposition of Theodore Atkinson, Daniel Warner, Jonathan Warner, Daniel Rindge, Daniel Peirce, George Jaffrey and Daniel Rogers, of His Majesty's Council for the said Province Esquires, Testifieth and saith, That We know of no Townships within the said Province, to the regranting of which we did Consent & Advise, upon forfeiture thereof, without previously having the clearest Conviction, either from Publick notoriety, or particular Testimony, that the Lands were vacant by reason of Non-compliance with the Conditions of the Grant; That we do not know or remember of any Instance wherein any person did or had reason to complain of Land being so regranted, upon which such Person had made Improvement or Settlement agreeable to Charter, and where there had been room to suppose, or it was understood that Settlements were begun on any Township, Notifications was usually given in the Publick Papers, before the regranting thereof, that the old Grantees might have an Opportunity of appearing before the Council, to shew what Improvement, if any, they had made; to which proper regard was always paid, and the old Grantees were always treated with Indulgence when they could offer a reasonable excuse for their delinquency, and there seemed to be a prospect of their proceeding to the Settlement of the Land in a reasonable time, And We consider'd this mode of regranting forfeited Lands, which has been of long Usage, to have an effectual tendency towards Peopling the Province, and consequently of Promoting his Majesty's Service. The Council did not consent or Advise the regranting of the Five Hundred Acres mentioned by M[r] Livius 'till the Nineteenth day of March A. D. 1771, at which Time the question being put by his Exc[y] The Council did advise that the said Five Hundred Acres should be granted to such of His Majesty's Subjects as would settle & cultivate the same.

That M[r] Livius's Dissent was produced to the Council the Twenty sixth March 1771, and was admitted to file then, as appears by the Records of the Council, and that the reason why it was not allowed to be enter'd at length in their Records was, because the Council upon examination found that no Reasons of Dissent had ever been so

recorded at length, but only filed in the few Instances of any that had been made, and the same regard was paid to this Dissent of Mr Livius Altho' we think the Council would not have acted inconsistent with their Duty in rejecting it intirely because the Allegations contained therein were not True.

That We are not knowing to, or conscious of any ill treatment being shewn to Mr Livius on account of his opposition in the Council, nor of any personal abuse given him by the Govr unless his Excellcy's telling him, that his reasons of dissent were not true, could be construed an Abuse We ever observed that the Governor had treated Mr Livius with the same Civility he had used to any of the rest of the Council We further declare that we have not had in view on any occasion in any of our proceedings or Deliberations to keep it in our Power, to alter, erase or falsify any Records of the Council to screen any part of the Governour's conduct, as suggested by Mr Livius or on any other Occasion whatever And that we never apprehended or had reason to apprehend that there was any Disposition in the Governour to commit any Act of Injustice to any of his Majesty's Subjects or to exercise his Authority in pursuing any Measures for his own private advantage in prejudice of his Majesty's Service.

Theodore Atkinson	D. Warner	Geo : Jaffrey
Jonathan Warner	Daniel Rindge	Daniel Rogers.
	Daniel Peirce	

Province of New Hampshire }
Rockingham ss: } Portsmo Decr 4th 1772.

Then the above named the hona Theodore Atkinson, Daniel Warner, Jona Warner, Daniel Rindge, Daniel Peirce, George Jaffrey and Daniel Rogers Esqrs personally appearing made solemn Oath to the Truth of the foregoing Deposition by them subscribed.

(Copy) Sworn to Before Samuel Penhallow Justice Peace

[6–30] [*Memorial from the Council.*]

Province of New Hampshire :

To the right Honorable the Lords Commissioners for Trade and Plantations

The Memorial of his Majesty's Council, for the Province of New Hampshire humbly sheweth

That his Excellency John Wentworth his Majesty's Governor of the Province aforesaid, having laid before the Council, a Copy of a

Memorial of Peter Livius Esq[r] one of his Majesty's Council for said Province, complaining to your Lordships, that the said Governor had, (with the advice and consent of Council) been guilty of much male administration in the Government, and instancing in six particular Articles, in avering which, (to say no worse) he is guilty of a vile Calumny. We therefore humbly beg your Lordships favor, in indulging us with your patience, while we set the Affairs thus complained of, in a true Light before your Lordships —

And with respect to the first Article "That John Wentworth Esq[r] now Governor of the said Province, with the advice and consent of *his* Council, but without the intervention of a Jury or any previous legal process, has deprived the Grantees under the Crown, of many large Tracts of Land, and had granted them to other Persons, upon *Suggestion only* that the first Grantees had not performed the Conditions of their Grant, as may be seen by the Journals of the said Council."

To this Article we beg leave to observe, that the Authority for granting his Majesty's Lands in this Province, arises from the words of his Majesty's Commission to the Governor, which says "And we do hereby likewise give and grant unto you, full power and authority, by and with the advice and consent of our said Council, to agree with the Inhabitants of our said Province, for such Land, Tenements, and Hereditaments, as now are, or hereafter shall be, in our power to dispose of, and them to grant to any Person, or Persons, for such Terms, and under such moderate Quitrents, Services, and acknowledgments, to be thereupon reserved unto us, as you by and with the advice aforesaid, shall think fit; which said Grants are to pass and be sealed &c"

This has been the standing Authority, for granting the King's Lands in this Province, ever since it had a seperate and distinct Governor from the Massachusetts, and in pursuance of this Power, the Lands here, have without any material alteration been granted, and upon such Terms & conditions, as were stipulated, between the Governor with the advice of Council, & the Grantees which were generally for Tracts of about six Miles square. — The first Article in the Conditions, of the Grants issued by the late Governor, hath ever been as follows viz[t] "To have and to hold said Tract of Land, as above expressed, together with all privileges and appurtenances, to them and their respective Heirs, and Assigns, upon the following conditions, viz[t] 1[st] That every Grantee his Heirs or Assigns, shall plant or cultivate five Acres of Land, within the Term of five Years for every fifty Acres, contained in his or their Share, or proportion, of Land in the said Township, & to continue to improve, and settle the

same, by additional cultivation, on penalty of the forfeiture of his Grant, or Share, in said Township, to us our Heirs and Successors, to be by us or them, regranted to such of our Subjects, as shall effectually settle & cultivate the same"

This was ever the agreement between the late Governor, and the Grantees. In the Grants made by the present Governor, the Article of cultivation aforesaid, hath sometimes been a little varied, and the Grantees obliged to perform a progressive Settlement, as that ten rights shou'd be settled in two Years, and twenty more in four Years &c, but in these Cases a forfeiture of the Land ensued, upon a breach of the covenanted Conditions of culture, and his Majesty had the same right of reentry, and regranting the Land, expressly reserved in every such Grant; & whenever Complaint was made by those of the Grantees, that were settled and resident on the Land, that their Partners had neglected to enter, and improve &c, and that the Burthen was heavy for those that had performd, to do the duty of cutting roads building Mills &c, and therefore prayed, that the Shares of the Delinquents, might be regranted to such of his Majestys Subjects, as wou'd settle & cultivate the same — Upon these Petitions, Notifications issued when there was any doubt, and a day was appointed, for the Delinquents to appear and shew cause, why their Shares shou'd not, agreable to the Charter be forfeited, and regranted, and such Persons as did appear, were ever heard before the Governor and Council, and a determation was made, who had, and who had not, forfeited, and their Charters issued accordingly — This hath been the method pursued, of which we never heard the least Complaint of injustice, or even hardship, from any Person in any such forfeiture, who had complied in any measure agreable to the Charters. The impracticability of Mr Livius's implied mode, tends directly to divest the Crown, of the express right of regranting, and essentially to injure the Province, by discouraging its improvement and cultivation, which evils are incompatible, with our duty to his Majesty, however they may coincide with Mr. Livius's views. —

The next Charge is, First that the Council nonconcurred a Vote of the House of Representatives, for enquiring into the State of the Money levied on foreign Shipping, here commonly called powder Money, and secondly that Mr Livius did not agree with them in Sentiment, (as he seldom did, where the Prerogative was in question) and that he was refused liberty, of having his Dissent entered upon the Journal of the Council &c

It seems it is matter of complaint with this Gentleman, that the Council differ from him in opinion. He forgets that old Adage, "Quot Homines, tot sententia" and recollects not, that such a Vote,

wou'd be giving up a Prerogative, enjoyed by the Crown ever since Charles the 1st. We suppose that the sole supreme Command, of all Forces by Sea, and Land, and of all Forts, and places of strength, with their Stores and Munition, ever were and are the undoubted right of his Majesty, and his royal Predecessors, and that both or either House of Parliament, can or ought not to pretend, to the same — And as the Act that grants the duty, is on Vessels not owned in this Government, for the express purpose of supplying his Majesty's Fort, and Fortifications, within this Province, we humbly conceive, that his Excellency being his Majesty's Representative, has the sole right of disposing, and is the only proper Judge on this side the Water, of the application of the same, & is accountable only to his Majesty therefor. Therefore without giving up an undoubted Prerogative, we cou'd not as we apprehend concur said Vote; We would further observe, that this point has been contested with former Governors, and We know of no Instance of its being given up, they always avering, that the House had no right of enquiring into it, and we think it our duty, still to persist in the same opinion, until we shall be convinced by his Majesty, or your Lordships, that we are in the wrong. We know of no Instance of private appropriation, as Mr Livius maliciously insinuates, but on the contrary, that a Process at Law has been instituted, and judgment recover'd against the late Governor's Heirs, by his Excellency the present Governor's order, which we apprehend effectually secures that Revenue, from being converted to private Purposes. We believe that if Mr Livius had not had a greater regard for popularity, than for Loyalty, your Lordships had not been troubled with this Article; We therefore beg leave to refer your Lordships, to the Journal of the General Assembly, (now in your Lordships Office) for the Votes of Council, on the 7th & 9th of June, and 26th of August 1768, and for Mr Livius's protest thereto, and humbly rely upon your Lordships approbation of the Councils behavior therein, —

The third Charge of the sd Memorialist against the Council, is so complicated, that it is difficult to elucidate it, & to assign that part of the Obloquy to the Council, which Mr Livius designed for them, but as far as We can judge, he means to fault us, for advising the Grant of several Tracts of five hundred Acres, in sundry Townships the Fee of which the Memorialist pretended, was in the Devisee of the late Governor Wentworth

We wou'd observe in answer That if what Mr Levius asserts is just, vizt "That in each of the said Townships, 500 Acres were granted to the late Governor, on the same conditions with the other Grantees," that unless there were five Acres of every fifty, on each of these

Grants, cleared and settled in every five Years, from the date of the Grant, they were like the other granted shares forfeited, and of course they revert to his Majesty, to be regranted to such of his Subjects, as shou'd settle and cultivate the same. And neither Mr Livius or any other Person, will say there was any, (the least) improvement, or one Tenant upon any one of the said 500 Acres, within this Province, unless upon one or two, which the late Governor exchanged with some other Grantees; neither did he ever pay any part of the Charges, that attended the Settlement of any of the said Townships: so that the late Governor's Devisee, has no just cause of complaint, being treated as all other Grantees have been, agreably to the condition & reservation in the Charters, of his own signing and his own exacting, from other Grantees — As it plainly appeared to the Council, that the reservations in the late Governor's Grants of 500 Acres to himself, cou'd not convey any Fee or right in those reservations to himself, or any other Person, but that those 500 Acres still remained the Fee of the Crown, it was unnecessary to hear Council on that point.

Mr Livius in the third Article of his Memorial asserts, that in the begining of March 1771, the present Governor proposed to *his* Council, to advise and consent to the granting to himself, but thro other Persons, all the Lands, which had been as aforesaid granted to his Predecessor, alledging, that the former Grants being made immediately to the late Governor, were void, and the Lands remained as if no Grant had ever been made of them, and that at a subsequent day it was voted as the Governor desired, which is in fact false, for after some conversation upon the matter, the Question proposed to the Council was to this effect, "Whether the reservations to the late Governor in the Charters, did convey the Title to him" upon which some Members of the Council desired time to consider of it, and accordingly the meeting of the Council was appointed, on the 19th of March, when they did vote upon the above Question in the negative; and did advise the granting the same, to such of his Majesty's Subjects as would settle and cultivate the same. And we believe it may be asserted, that his Excellency owns not one Acre of the said Lands, not any Record appearing thereof, without which by a Law of this Province, the Fee cannot be effectually vested in the Grantee.

In the fourth Article Mr Levius complains in General Terms, that he had been very injuriously treated, and at one time received much personal abuse from the Governor, but as he mentions no particular Time when, or place where, nor any particulars of what was said or done, Your Memorialists can only say, that they never perceived, or heard, any Affront or personal Abuse offered him by the Governor, unless the Governor's telling him, that his reasons in his dissent were

not true, could be construed an abuse, when the Governor's assertion was true; And we know of no abuse, at any time offered to Mr Livius by the Council, while they were siting

In the sixth Article of the Memorial he says, he thought to have further proved several of the Facts abovementioned, by refering Your Lordships, to the Copy of the Journal of the Council; but to his great surprize, he finds that the Governor, the better to keep out of sight, the practices of himself and *his* Council, had even ventured to disobey &c

Your Lordships have the Copy of the transactions of the Council, ever since the appointment of our present Governor, and if your Lordships shou'd condescend, to let Mr Livius when he pleases, have the perusal of them, 'tis odds but he will daily surprize your Lordships, with Complaints, containing as much veracity, and of as much consequence, as the above: We are told by the Secretary, that the late Governor for sundry Years before his death, did not forward Copies of the Councils Journal, and that we suppose the reason, the present Governor omitted it. This part of the Charge, the Governor will doubtless inform y^r^ Lordships of, but that such omission, was to keep out of sight, any male practice, is utterly false: and we perswade ourselves, that your Lordships upon perusing the said Journal, will find no Traces of any thing like Mr Livius's Suggestion: As the Memorialist in his Obloquy is so general, your Lordships will pardon us, if we descend into some particulars, in vindication of our injured Honor, and Loyalty. It is with pleasure we reflect, upon the increase of his Majesty's Province of New Hampshire, for five or six Years last past in Inhabitants, and cultivation, arising "in a great degree from the benefit accruing from the administration of our present Governor, who has been aided and assisted by us, (as far as in us lay) in his Measures, ever conducive to the welfare of the People, and the real benefit of the Crown — The Peace, Quiet, & Loyalty of the People of this Province, plainly evince (if we may be allowed to express it,) that his Majesty's Council of this Province, have not been negligent, of the Interests of the Crown, or the real Liberties of the People — And we conceive one part of Mr Livius's charge against us, is for our just attachment to the King's Prerogative, and our Loyalty to the Crown, in the Instance respecting the Powder Money

In every Case that has been before us, far from promoting any Family interest or Connection, that scarcely a Case has arisen where it was concern'd —

In those Cases where we have sat & judged as a Court of Appeals, where any Family Interest could with any Shadow of justice be supposed so far from promoting it, we from real conviction have given

our judgment directly against it. In one Case we upon examination found less due, than two Juries had given: in another, we determined directly (so apprehending the Law,) against the President of this Board

Mr Livius appears to be chagrined, and complains of it as a fault, that the Council is filled up with what he calls his (the Governor's) Relations, but if Mr Livius recollects, those Members appointed & sworn in since the Governor's arrival into the Province, are under no Family connection whatever Mr Rogers excepted

Mr Livius's conduct during the time of the Stamp Act, we think will unfit him for the Complaint of disloyalty.

We defy him or any other Person, to point out any circumstance, which will prove or in any respect indicate, any combination to establish a System of injustice, as he falsely suggests, or any one instance, of any alteration of the Council Records, or bare intention of such an Act, as he would insinuate; neither can we imagine there cou'd be any motives existing for such Conduct, even were we not bound by oath, to truth & faithfulness in all our proceedings, which Mr Livius in his Memorial, upon his bare word unworthily, and wickedly insinuates, we have sacrificed to partial Interests

These imputations we humbly conceive, are highly injurious to us, and not less detrimental to his Majesty's Service in this Province, tending to alienate and disquiet the Minds of the People, to annihilate that confidence and respect necessary to Government, and which we think is due to us, both in our Charecter and Conduct, and by circulating such suppositious Complaints, to disseminate a most reprehensible Spirit of abuse, which this Province has hitherto happily escaped —

Events so replete with licencious Mischiefs, so destructive to legal Subordination, and so utterly inconsistent with justice, truth and policy, that we cannot but Flatter Ourselves, the attemps and their *worthy* Author in this Case, will meet condign Contempt due to such unjustifiable pursuits

We would submit these considerations to your Lordships Wisdom, and doubt not but your Lordships, will conceive of us and our proceedings, as equity and justice shall require: As we have conducted upon those principles, we desire to be justified by them alone, and in consequence thereof, to stand unimpeached to the World, & approved by your Lordships

Theodore Atkinson	Daniel Peirce
Dl Warner	Geo: Jaffrey
Jonathan Warner	Daniel Rogers
Daniel Rindge	

Portsmouth New Hampshire 26th December 1772.

[6–31] [*Letter Accompanying the Memorial.*]

Portsm° New Hamp^r Dec 28. 1772

Sir. The inclosed Sheets contain a Memorial signed by Seven of his Majesty's Council of this Province, to be laid before the Right Honble the Lords Commissioners of Trade & Plantations

The end proposed by this Step, is to wipe off some gross aspersions, which Mr Livius one of the Council, in a Memorial &c lately laid before their Lordships, has in the most illiberal Manner, cast upon the Governor and Council, asserting that they had been guilty of much male administration, in executing the trust his Majesty had reposed in them, by their several Appointments

You'll observe, that the number of his Majesty's Council now in this Country is ten, seven of which have signed the inclosed Memorial, the other three are vizt Mark Hunking Wentworth, Peter Gilman, and Thos Westbrook Waldron Esq^rs Mr Wentworth (The Governor's Father) seldom attends the Council, and was not present when any of the Affairs complained of, were under the Councils consideration, and Messrs Gilman and Waldron were admitted to a Seat at the Board, since the last Article in the Complaint.

Mr Livius did not leave this Country in the most honorable way, he went off incog:, few if any knew of his design'd departure, perhaps not more than three or four if so many: No sooner did he arrive in London, but he began his wonted practice, where his absence forced him to leave off here, and with the news of his Arrival, we receiv'd a Copy of his infamous Memorial, which if read by a Stranger (that would possibly be induced to believe his assertions) would think this Government composed of the most abandoned Wretches on the Globe, for in the conclusion of his Memorial he says thus, "That upon considering the whole of the Governor's conduct there appears to have been formed a deep laid System of injustice" &c Now in all this Complaint, he does not pretend, that he suffered the least injury, either in his Person, his Charecter, or Estate, therefore upon his own Account, he could have no right of Complaint, and no other Person here ever did complain, and we can assure you, he has not directly or indirectly, any Power, or instructions, from any other Person, but all this arises out of his own troublesome inclination. In this proceedure, he has not as the Proverb goes, been "fishing in troubled Waters", but troubling Waters that were in themselves clear. He has not agreable to their Lordships directions, appeared in person, nor has he substituted any one in his room, to examine the Records, swear evidences &c, & nobody here after the strictest inquiry, is authorised to appear in that behalf

Upon the whole You'll Please to Enter the Inclosed at the Plantation office wether Mr Levius Should or should not withdraw his Compl^t^ & desert his Cause which is left to your Prudent Determination —

I am S^r^ with the greatest respect & in behalf of & at the request of the Memorialists

Your most Obliged & Most Obedient Humble Servt

Barlow Trecothick Esq — Theodore Atkinson

Portsm^o^ N. H Decemb^r^ 30 — 1772 —

Sr The enclosed is a Memoral executed by 7 of his Maj^tys^ Council of this Province at the request of the Memorialist I beg your perusal & if in your way your assistance in forwarding a hearing before the Lords of Trade youl See it is rather an Answer to the Memorial of Mr Levius (who in a Very Secret Man^r^ left this Country) than to ask any new Favour or to Commence a Compl^t^ — I must beg leave to referr you to Mr Levius's Memorial lodged in the Plant^n^ office for a Sight of it as also to Mr Trecothick for Perusal of the directions Sent him relating the Premisses M^r^ McDonough now in England has Evidences we Suppose sufficient to Support the Hon^r^ Integrity & Loyalty of both Govr & Council which he will also Shew you and as you Are one of the Council here we give you this Trouble & hope Your Assistance in the Premisses I am at the request of the Memorialists & with humble Esteem

Your most obed^t^ Humble Servt

To Paul Wentworth Esq — T A Copy

[6–32] [*A Fragment.*]

His Excellency asked the Council if they had come to Any Determination or had formed any replycation to the reasons offered by Mr Leviuss for his Dessent from the resolve of the Council of the 17th of March last relative to the 500 Acre Lotts of Land reserved by the Late Govern^r^ in the Several Patent or Grants of his Majestys Land in this Province &c^a^

They answered they had not — because upon reading Mr Leviuss Preface to his reasons & in which he pretends to have recited the Question put by y^r^ Excellency to the Council and their answer thereto he has so mutilated the Questions & so prevaricated in rehearsing the Councils answer or resolves that not any Person by reading them — can discover any Lawdable reason for his so amusing himself we would therefore recomend that a Copy of the Journal of Council of

the S^{d} 17 of March relative to his Excellencys Said Questions & the Councils Answers thereto be Transcribed on the Back of Mr Leviuss Performance called his Dissent

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[6–33]

[*Endorsed "Livius Versus Moffat at the Court of Appeals."*]

They have assign'd three causes in Arrest of Judgment 1st That the Action is misconceiv'd 2^{d} That no Action but Action of Account Lays between Partners in Trade. 3^{d} That the facts contain'd in the declaration are not sufficient foundation for a Verdict —

We will first show that we had our Election either of Case or Account : 1 Salk. 9. 1 Showers. 71. The plaintiff paid the def^{t} a large Sum to trade with on the def^{ts} promise to account & pay the N^{t} P^{ceeds} he has not done it — that is the Substance of our declaration & is exactly Similar to the two precedents quoted.

But they say that by our being partners in Trade no Action but Account is maintainable — That is not the Case, the utmost that can truly be said on this head is in Woods Inst : 558 "In advancement of trade One Merch^{t} shall have Account against the other, naming him Merch^{t} & shall charge him as Receiver &c^{a} This by the Law of Merch^{ts}" for otherwise he could not have an Action of Account against one not truly his Bailif Receiver or Servt — but it does not say that he may bring no other Action & the Cases cited show that he may —

Conscious that this must fail them they mention the matter of Coke Littleton concerning Join tenants or tenants in Common that if one Jointenant receives the whole profits the other had no Remedy but to catch it as he could till the 3 & 4 of Anne ch : 16 which gives the aggrieved Jointenant Action of Account. they would be very hard put to it to show that this Act is in force here so that according to their Account the plantiff has no remedy contrary to the general Maxims — that every Wrong has a Remedy — that the def^{t} in destroying the pl^{ffs} Writ must furnish him with a better or the Court will sustain that which the plaintiff has chosen &c^{a} They should have remember'd that this position of Coke Littleton from its repugnancy to Natural Justice, has been much doubted and they cannot show one writ abated in conformity to it : & they might have seen too that Mr Moffatt is not charg'd as Join tenant but as having rec^{d} a Sum of Money which he has never repaid or accounted for.

But was it evident from the Declaration that the parties were Jointenants, & was that saying of Coke Littleten ever so well confirm'd

for Law in the Sense they would have it Mr Moffatt's express promise to pay the Nt Pceeds & the Plaintiffs trust & Confidence in consequence thereof as laid in the declaration would be sufficient foundation for an Assumpsit — In the 1. Salk. 27 such a promise & trust cur'd even a Nudum pactum & removd the want of a Consideration, being a good foundation for an Action where otherwise there would have been none — so it is here. Besides they should have look'd a little further in their Coke Littleton — 200 a & b, & they would have found that if one Jointenant consumes the whole Stock, the other may bring Trespass & they might have observ'd that Mr Moffatt is charg'd with making away with Stock & block.

The Reason why Lord Coke says that a Jointenant has no Remedy against his Partner is that he is seiz'd per my & per tout & might take the profits without tort, & there being no Contract to render any part he could not be forcd to it by Law which requires either Tort or contract to proceed on, but this has generally been thought too refind for the practice of Courts whose End is Justice, as a Contract seems to be implied when one takes the others part Share. — but be either way it cannot effect this Case where an express Contract is laid: Much more might be said, but surely it needs [not]

We shall now show that Judgment could not be arrested for this cause even if we had brought a wrong Action because we could then never bring the right Action That Mr Livius paid Mr Moffatt a Large Sum of Money is undeniable here is the rect for it — That Mr Moffatt ought to make Mr Livius Satisfaction for this Money is surely as evident — That he has left the Country to avoid doing this is as notorious as can be — & now when Mr Livius applys to the Justice of the Province for a Judgment that if possible he may secure something even this is embarrass'd — The Gentn on the other Side in order to darken the plain Equity of the Case endeavour to mix & confound the Matter with points of Law the usual refuge of a bad Cause, which are the more perplexing because in this Case they are no way applicable Thus they hope by a Multitude of Words to make yr Ex H lose Sight of the Question the point in Issue but it is so plain & visible that I think it must be impossible — * The whole lays in a very few words if we had not been thus drawn by their Story telling into this Length — Mr Livius in his writ says Mr Moffatt promisd to acct with him & pay him — that he has broke His promise to his damage So much — Now whether this promise was to acct or to build a Ship he is equally answerable in Damages for the breach — To this promise as laid Mr Pickering here pleads that he did not promise so that the Question is whether he did or did not promise & by what they themselves have confessd they did promise in the very manner they

are charg'd so that your Ex^cy & honors cannot but find the Issue for the plaintiff so that all that remains is to Estimate Damages Mr Moffatt rec^d £1150 surely he ought to repay that And he ought at Least to pay legal Interest — when your Ex: & H^rs consider the Injustice in keeping the Plaintiff so long out of his money — the putting him to this difficulty in going thro all the Courts — the reviling & abuse he has unjustly rec^d & the great risk he has run & the great Doubt whether he ever shall receive any part of his money all together justly entitle him to Bottomry interest but this he think proper to waive while the Case is on this Side of the Water — but he expects from your Ex^cy & honors Justice & Judgment for the Legal Interest — that is an Affirmation of the Judgments in the two Other Courts with additional Interest & Costs & this assuredly he must obtain

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[6–34] [*Memorial from the Justices of the Superior Court.*]

Province of New Hampshire Hillsborough } To His Excellency John Wentworth Esqr Captain General Governor and Commander in Chief in and over the said Province.

Humbly shew, the Justices assigned to keep the Peace of Our Sovereign Lord the King within the said County whose Names are subscribed.

That The Honble the Justices of His Majesty's Superior Court of Judicature for said County, did at September Term 1772, order and adjudge, That one Joseph Kelly sho^d pay a Fine to the King of Ten pounds Lawful money for a certain Assault and Battery committed on the Body of One John Holland, together with Costs of Prosecution: — On which said Judgement the said Kelly is still held a Prisoner. And Whereas the said Kelly is in indigent Circumstances, and utterly unable to satisfy the said Judgement, and his Prison Charges must inevitably fall upon the County, who, on that Account are unanimous in their Desire of releasing him so far as is in their Power, And also as Your Petitioners most humbly Conceive That the long Imprisonment of said Kelly has been a much greater Punishment than the payment of the said Fine (had that been in his Power)

We therefore, truly sensible, and relying on Your Excellency's Attachment to the Interest of Your Government in General as well as this County, and Your benevolent Disposition to relieve the unhappy,

of which You have given such ample Testimony in Your whole Administration most humbly intreat Your Excellency to remit said Fine.

And Your Petitioners as in Duty bound shall Ever pray &c.

Wyseman Clagett	Zaccheus Cutler	Sam^{ll} Cumings
Joshua Atherton	John Shepard jun	Samuel Wentworth
E′ G′ Lutwyche	Saml Hobart	James Underwood
Moses Nichols		

[6–35]

[Thomas Bell's account for sundries on Fort William and Mary, January 6, 1773. Voted and allowed. — Ed.]

[6–36] [*Petition for Changing County Lines*, 1773.]

Province of New Hampshire } To his Excellency John Wentworth Esqr Captain General Governour and Commander in Chief &c &c &c And to the Honourable his Majesty's Councill and House of Representatives for said Province

The Petition of the Subscribers being Inhabitants of Londonderry and other Towns adjacent to the County of Hillsborough in said Province most humbly sheweth That the Towns of Londonderry Windham Pelham Salem Pembrook & Concord are very remote from the Places of holding Courts and that they reap little or no advantage by the Deviding the Province into County's as the Said Devision now Stands. That the County of Rockingham is at Present too Large, and the County of Hillsborough too Small for the publick good All which is too obvious and plain to need proof; the Petitioners therefore pray the advisement of your Excellency & Honours on the Premises, That the aforesaid Towns may be annexed to the County of Hillsborough And that Some part of the Courts of Said Hillsborough may be held at Londonderry, And that two Superior Courts may be held in A year for Said County And your Petitioners as in Duty bound shall ever pray &c

January 25th 1773 —

Mathew Thornton	Robert Mountgomery	William Cunninham
William Wallace	Hugh mountgomery	Artur Reid
Joseph Cochran	James m^{c}keen	thomas Willson
William Cochran	David m^{c}keen	Alexander Nickles
William Thornton	David Craige	Samul Doge

John Cochran	Will[m] Vance	Roger Magrath
John M[c]Crtney	James Patterson	Parker Dodge
James Alexander	John Stueart	Robert M[c]Curdy
William Alexander	John Stueartt Jun[r]	John M[c]Cordey
James Miltmer	george Herron	Robart Gilmore
Elijah Cochran	John Moor	William Gilmore
Daniel Miltimor	Thomas Hudson	Thomas Cristy
John Gunion	David Clendinin	Gorge Moore
John Gregg	Robert m[c]farland	Hugh Dunklee
Benjamin Gregg	John Karr	John Brown
John Patten	Samuel Karr	John Gilmore
Matthew Clark	John Stinson	Jonathan Gilmore
David Anderson	James Stinson	Roberet Hountter
Rabeul Anderson	Nathan Stinson	Mo[s] Barnett
James Vance	Daniel Runnels	Will[m] Rodgers
John Vance	Matthew Reid	Rob[t] Barnett
John Mitchell	James Dinsmoor	James Barnett
James wallace	Robert Wallace	Sam[ll] Alison
Andrew Clindinin	Alexander Leslie	Andre[w] Alison
william Clindinin	John Kelsy	John Barnett Jun[r]

And one hundred & eighty one others who have subscrib'd petitions herewith to be exhibited

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Province of
New Hamp[r] } In the House Represen[s] January 29[th] 1773

Voted that the Petitioners cause the Substance of this Petition to be printed in the New Hampsh[e] Gazette three Weeks successively that any person having any Objection may be heard thereon the third day of the Sitting of the Gen[l] Assembly after the first day of April next

William Parker Clerk Assembly

In Council Feb[y] 6 1773 Read and nonconcurd

Geo : King D Sec[y]

[6–37]

[*Report of Committee on Road from Conway to Connecticut River,* 1773.]

Province of
New Hampshire } To His Excellency John Wentworth Esquire Governor in Cheif in & over said Province, The Hon[l] the Council, and House of Representatives in General Assembly conven'd the 26 January A D 1773 —

The Report of Ammi R : Cutter, Jacob Treadwell, and Thomas

Martin, all of Portsmouth in the County of Rockingham & Province Aforesaid, As a Committee Appointed by an Act of s^d^ Province to Survey, lay out, & make passable, a road from Conway to Connecticut river on the East side of the White Hills — Sheweth —

That your Committee have caused said road to be explored according to the Surveyers report or return hereto annexed — for which they have Advanc'd about Twenty pounds lawfull money, that when Appoint^d^ they did not Apprehend that said road would run through so large a tract of land ungranted, as they Since find it must, nor that the expence of Survey^g^ laying out, and making the s^d^ road, through said ungranted lands wonld amount to Two Hundred pounds lawful money, as they now Judge it will — which sum by s^d^ Act we as a Committee aforesaid will be Obliged to pay, and to wait the repayment thereof, untill S^d^ ungranted lands shall be granted besides being Chargeable with Advancing the expence of making the rest of the road through the granted lands. — your Committee conceive that the method pointed out in said Act to oblige the proprietors of the several Townships or tracts of land allready granted to advance the money Necessary to make said road through the ungranted lands to be very burthensome to, and will very much discourage and impede the Settlement of such Townships, as the respective proportions of the charge of s^d^ road will not be very inconsiderable to s^d^ proprietors of the several Townships thro which it will run, that your Committee are very Apprehensive that if some other method is not provided to defray the charge of making s^d^ road through the s^d^ ungranted lands, Your Excellency & Honours benevolent, beneficial, & publick designe in ordering said road will be defeated —

The great Necessity, conveniency & extensive benefit & usefullness of such road to this Government in general, as it will tend to encourage & increase the rapid Settlement of it, and to facilitate the transportation of the produce of the out towns to the Market towns in the Government, cannot be denyed by any conversant with its Situation & Circumstances — The Government of the Province of the Massachusetts Bay, being deeply sensible of the sound policy of encouraging the making roads in the new Towns Adjoining to the eastern lines of this Goverment, have lately orderd roads in the several towns Aforesaid to be made at the Charge of that Government, (as your Committee have been informed) with a view to induce the inhabitants in the new towns in the easterly part of this Government to trade with the Inhabitants of that. —

That your Committee humbly conceive the mak^g^ said road through those ungranted lands to be an Object that merits the effectual & early Attention of this Government, and as the money to be advanc'd

will be Apply'd to promote so valuable a purpose, and the repayment Secured by s^d^ act, when s^d^ lands shall be granted; they humbly recommend that the Government would Advance such a sum of money as Your Excellency, & Honours, may Judge expedient for the defraying the Charge of making s^d^ road through s^d^ Ungranted lands, to be repaid for the use of the Governm^t^ when said lands shall be granted —from our enquiry and repeated Communications with many the most Considerable Freeholders in this Province we find it is very generaly thought to be a Matter of great importance, desire, & almost Necessity for the good of this province that this road should forthwith be made —and that it would be highly Satisfactory, as well as Advantageous to have it Accomplish'd by a loan from the Treasury as above Suggested — All which is humbly Submitted —

A R Cutter
Jacob Treadwell } Committee
Th^o^ Martin

[6–38] [*Letter of Introduction to John Pownall,* 1773.]

Dear Sir. I beg leave to introduce to you the Bearer Mr M^c^-Donogh, secretary to Governor Wentworth of New Hampshire, from whom he brings, agreeably to the Orders of your Board, a full and I think conclusive Refutation of the several Charges preferred against him.

It will I know give You satisfaction to see these Aspersions wiped away & the Governor's Character replaced in the Light you have so often taken Pleasure to observe to Me it stood at the Board.

I have been confined to my bed several Days, but as soon as I am able shall wait on You, & whenever this Business comes before the Board I hope to attend it, as the Governor seems to Me to have been very greatly traduced. I am, sir,

Y^r^ Most ob^t^ hum serv^t^

London 1st Feby 73. signed(,) B. Trecothick

John Pownal Esqr

[6–39] [*Barlow Trecothick to Lord Dartmouth,* 1773.]

My Lord,

Weakness after an Illness which has confined Me to my Bed for some Days past, deprives Me of the Honour I had intended Myself of waiting on your Lordship this Morning to introduce the Bearer

Mr Macdonogh private secretary to Governor Wentworth of New Hampshire, sent home by his Excellency with a Defence against the Charge brought against him before your Lordships Predecessor in Office, which seems to have been stated with the Acrimony usual in Persons conceiving themselves injured and to have made some Impressions to the Governor's Prejudice — I am assured a candid Hearing of the Merits, such as I know your Lordship always gives, will effectually remove them.

the General Esteem Governor Wentworth has acquired by the Rectitude of his Conduct, during the Course of his Administration, & the freqent Expressions of Approbation from his superiors here are strongly in his favour; And I hope in this Instance also he will appear to have acted upon Principles of Justice & Honour,

Im with the greatest Respect My Lord
Your Lordships most obedient humble Servt

London Feby 1st 1773. Barlow Trecothick

[6–40] [*Testimonial from Inhabitants of Portsmouth.*]

To his Excellency John Wentworth Esqr Captain, General, Governor & Commander in chief, in and over his Majesty's Province of new Hampshire and vice admiral of the same.

May it please your Excellency —

The Inhabitants of the Town of Portsmouth being assembled at their annual meeting, beg leave to address your Excellency, and to express their Sentiments upon a Representation they hear has been made to the Lords of trade by Peter Livius Esqr against your Excellency very injuriously as they think, for they have had occasion both in their corporate & private capacity to apply to your excellency to appoint special Judges in the several courts of Law, and have ever found your Excellency ready & willing to appoint honest & impartial Men without Favour or Affection to either of the Parties applying, and we are so far, from knowing and being Privy to your Excellency's stoping or giving any Hindrance to the course of Justice during your administration that we most heartily wish his Majesty may be pleased to continue your Excellency in the chair for a long time to come, that we may go on to reap the fruit of your publick Spirit, and strenuous Endeavours for the welfare of this Province, and his Majesty's Interest in General.

We shall only add our Wishes that your Excellency will continue to promote and encourage the settlement of the new Townships in this Province, & countenance Learning, and usefull Knowledge as

you already very abundantly have Done, and that you may hereafter meet your Reward.

The foregoing address being read several Times.

Voted unanimously

That the same be Presented to his Excellency Governor Wentworth by the select men who are Desired to wait upon him with the same. —

Portsmouth March 26th 1773.

a true Copy Attest John Penhallow Town Clerk

[6–41] [*Testimonial from Francestown.*]

Province of New Hampshire } We the Subscribers Inhabitants of Francestown
Hillsborough ss } In the County aforesaid, being credibly Informed that Peter Livius Esqr has presented a Memorial to the Lords of Trade &c

Seting forth among other things that your Excellency and the Honourable Council Has formed Such a deep laid Scheme of Injustice, that the Streams of Justice by reason thereof is much obstructed.

We the Inhabitants of Said Francestown being truly Sensible what great obligations the People of this County and the Province in General are under to your Excellency for the many Instances of goodness to them, Since your Excellency's advancement to the Chair of Government in promoting and encouraging every useful Science and useing Your utmost endeavours to have Justice properly administred among the People. We therefore Beg leave to assure your Excellency that we will ever be ready to bear Testimony against all Such unjust and Groundless aspersions of your Excellency's Conduct, and think ourselves bound in duty to give our Voice publickly in favour of your Excellency's Administration ever Since you came to the Chair that we had the greatest reason to be Satisfied therewith, And we beg leave to Add that it is our earnest desire that Your Excellency may be continued in the important place you now fill, for many years to come as an extensive Blessing to this Province.

John Quigly
John Dickey } Select men
William Lee

Agree'd that the Select Men Sign this paper in behalf of the Town at the request of the Inhabitants and Chose John Quigly to Wait on his Excellency with the Same

Francestown April the 12th A : D : 1773

[6-42] [*Petition for Protection of Fish*, 1773.]

To his Excellency John Wetworth Esq Governor in Chief, in and over his Majesty's province of New Hampshire; the hon^ble^ his Majesty's council and house of representatives, in general assembly conven^d^ May anno Domini 1773.

Your petitioners humbly shew That whereas the Shad and Salmon fishery in merrimack river within this province has formerly been of vast benefit to those who live not very remote from said river, and a great encouragement and support to new settlers in the country; which fishery has in years past been very much decreased by the needless and extravagant methods people have practised by building dams, fixing weares and drawing long nets or sceines &c^a^ in said river whereby the fish have been so much harrassed, catched and destroyed in passing up and down said river, to and from winnipissokee pond that we have great reason to fear that the said fishery will be wholly destroyed unless some proper methods are taken to prevent & remove those impediments

Wherefore we your humble petitioners pray that your Excellency and honors would take the matter under your wise consideration and make such provisions for the regulation of said fishery as in your great wisdom may be adjudged proper and convenient —

And your humble petitioners as in duty bound shall ever pray &c^a^

Jacob Ayer	Nathl Saltonstall	Elias Sargent
James Shepard	Nathe^l^ Walker	Thos Rowell
Jonathan Duston	John Wingate	Ebenezer Colby
David Bradley	Thos Cogswell	James Kimball Jur
Israel morrill	Wm Wingate	James M^c^Hard
David Dexter	Samuel George	Ebenezer Runils
Nath^ll^ Walker Junr	Simeon Pike	Jonathan Nelson
Nathaniel Bradley	John George	Nathaniel Clark
Simon Ayer	Enoch Page	John Cogswell J
Peter Ayer Jun	Parker Noyes	Ammi R mooers
Dan. Den. Rogers	Joseph Grele	Philbrick Colby
Jonathan Shepard	Parker Jaques	Samuel Midelton
Moses Dow	John Goodridge	Nathaniel Eaton
Peter Ayer	Humphrey Moody	Benjamin Cushing
Thomas Cotthe	Moses Moody	William Hierlihy
Dudley Tyler	Moses Morse	Nathaniel Bodge
Jesse Duston	Oglander Boistern	Mitchel Whittier
James Pike	Eben Davies	Moses Bradly
Lewis Page	Nathan Hoag Jun	Stephen webster
David George	Henry Hale	Philip Haseltine

Enoch Bartlet
Isaac Osgood
John White
Thomas West
Cornelius Mansis
Moses Clements
Daniel Bradley
Ebenezer Davies
Charls Davies
James Carr
Joseph moody
Richard Colby jr
Nathanil Cheney
Daniel Colby
Nathan Morss
Jon^{a} Webster 4th
Timothy Eaton
James Haseltine
Jno Wiear
Moses Webster

[6-43] [*Testimonial from Dartmouth College.*]

To His Excellency John Wentworth Esquire, Captain General, Gövernor and Commander in Chief in and over His Majesty's Province of New Hampshire, and Vice Admiral of the same.

May it please your Excellency.

The President and Tutors of Dartmouth College for and in behalf of the same, sensible of the aspersions said to be contain'd in a representation before his Majesty by some evil minded Persons against your Excellency's Character and Administrations, and being informed the articles of charge there entered are represented as Facts generally known and observed in this Province.

We beg leave in this manner dutifully to assure your Excellency we fully believe them groundless false and injurious, and that they are considered as such by all who have had opportunity and have been disposed impartially to view those disinterested principles which have ever influenced your Excellency's Administrations — We are assured the Inhabitants of this Province esteem themselves happy that his Majesty has been pleased to place you at the head of Affairs here, and hope for a long continuance of the same signal Favor of Heaven, as the wisdom and integrity of your Excellency's conduct has ever merited their highest Regard — And in justice to your character we are bound to say, that so far as we know, tis the voice of all who have been acquainted with your Excellency's conduct, that you have ever made it an invariable rule to maintain a just balance between the prerogative of our rightful Sovereign and the liberty of these his happy Subjects, being equally attached to the interests of the one and the welfare of the other — that your study has been to appoint worthy and impartial Men to public Offices of Trust and Authority — and your zeal and engagedness not only to advance the settlement of this Province, but to encourage & promote good literature in it has been conspicuous to all.

We confidently trust the calumnies and machinations used against you will only serve to render your Excellency's name more conspicuous, and that the devices of those who have set themselves against you (which we consider only as a base attempt to subvert our present peace & harmony) will be utterly frustrated

That the great Governor of the Universe will be pleased long to continue your Excellency in the Chair — that we may unremittedly enjoy the same happiness and peace in our public Affairs as has been conspicuous ever since your Accession thereto — and that you will continue to smile on this infant College which you have hitherto zealously promoted and encouraged, is the earnest wish and prayer of, hon^{d} Sir,

Your Excellency's most obedient and most humble Servants

Eleazar Wheelock President
Beza Woodward, John Wheelock, Silvanus Ripley } Tutors

Dartmouth College in Hanover in the Province of New Hampshire May 3^{d} Anno Domini 1773.

[6–44] [*Summons to Captains Stickney and Chandler*, 1773.]

Provence of New Hampshr Rockingham } ss To Cap^{tns} Thomas Gastrekney and Abiel Chandler of Concord in S^{d} County Greeting

Seal

You are Hereby Required in his Majestyes Name To meet me at the House of m^{r} Roberts McGragors Inholder In Goffe Town on Tuesday the 15th Day of June next at ten of the Clock forenoon to Confer & Give In Charge Such orders as by us and the major part of us then present Shall be Judged Meet for the better ordering & Settling the Several Companys in the Rigement of which I am Col^{ll} and make Return to me as the Law Directs Here of fail not upon your Perril Given under my Hand & Seal at derryfeild the 14th Day of May In the 13th year of his majestyes Reign anno Que Dom 1773

John Goffe Col^{l} 9 Rig^{t}

[6–45]

[Judge John Pickering's opinion upon the escape of sundry prisoners from Amherst jail, May 22, 1773. — Ed.]

[6–46] [*Minutes of "Road from New Britton to Hanover."*]

Minute of the New Road from New Britton to Hanover from The rode on the west side of Merrimac River a little north of Sanburns Norwesterly thro' Britton Newcheshire Alexandia & The Gore to Mr Hoits 13 Miles thro' Part of Grafton to Cardegan 4 Miles thro' Cardegan to Canaan 4 Miles to the Center of Canaan 3 Miles all a Northwesterly Course from Thence to the Governors Road North (as the Road now is 2 Miles. But as the road is from the middle of Canaan Southwesterly to the Middle of Lebanon by the River 18 Miles from thence to Dartmouth 4 Miles How the Road may be got thro' from the Middle Canaan thro' Hanover to the College in a differant place from whence the Governors road is over Moose Mountain I Cannot tell from Merrimac River to the Middle of Canaan May be Had without difficulty and be made a Good road for Carriages and is 24 Miles from Thence to the College by Lebanon is 22 miles by the Governors road I suppose is about 14 but in order to go to Haverhill at Cohorse the Rode must go from Canaan Northerly thro' Dotchester and so strike Connecticut River some where at the North Part of Lime or in Thetford which will shorten the way from Cohorse to New Britton Many Miles from where they now Travil thro' Plymouth & as well Be much better This is the state of the road as well as I can Judge from My own Knowledge & The best Information I can git from Your humble Sert Elisha Paine

To Mr Hoit

[6–47] [*State of the Light House at the Fort,* 1773.]

Fort William & Mary July 23d 1773 —

May it please your Excellency

I beg leave to Report the state of the Light house —

the late Act that was made for the beter Support of the Light has been, and is (as yet) Insufficient for the purpose Intended — I have Allway's been, and am now, in a Considerable Advance for the Light, and its not in my power to Continue and Keep up the light any longer, unless that your Excellency will be please'd to Order me a Supply of twenty pounds for that use, Otherwis shall be under the disagreeable Necessity of leting the light House stand useless —

I am with the Greatest Respect

Your Excellencys Most Obedt Humble Servant —

John Cochran

[6–48]

[Governor John Wentworth's bill of costs at the Board of Trade, in the case Livius *vs.* Wentworth. — Ed.]

[6–49] [*Statistics of the Province*, 1773.]

The Province of New Hampshire, by a Calculation made from the Provincial plan, as laid down by Capt Holland, the bounds of which are Ascertained as described by Patent

Contains	9296 Square Miles
Which reduced to Acres gives . . .	5,949440
Deduct for ponds and Rivers	100000
Remains	5,849,440 the

Total Content in Acres exclusive of Water

Portsm^{o} N Hamps : 6th Novr 1773. Geo : Sproule

[6–51] [*Petition of Joseph Senter of Moultonborough.*]

To His Excell^{cy} John Wentworth Esq Captain General, Governor and Commander in Chief in and over his Majesty's Province of New Hampshire & Vice Admiral of the Same

To the Honourable His Majestys Council & To the Honble House of Representatives all in General Assembly convened ;

The Petition of Joseph Senter of Moultonborough in the Province aforesaid Esqr unto Your Excellency & Honours humbly Shews. —

That your Petitioner was appointed by an Act of this Hon^{b} Court, together with Samuel Shepard & David Copp, "To lay out and mark "a Road from his Excell^{cys} House in Wolfeborough, through that "Township, Tuftonborough, Moultonborough, New Holderness, to "Pemigewasset River at the Charge of this Province, — That in Obedience to said Act, Your Petitioner & Associates did proceed to lay out, & mark the said Road, & made a Plan & Return thereof, which was accepted by this Hon^{b} Court, of which public Notification in the prints was afterwards given for the Several Towns to clear out the same, for Passing & Repassing agreable to s^{d} Act, But None of said Towns or their Proprietors took any Notice thereof, and the Space

of Six Months & more having elapsed after said Road was marked out, His Excellency sent his Warrant under his Hand and Seal, authorizing & commanding Your Petitioner forthwith to make said Road, through Moultonborough and to make Return thereof; In Obedience to His Excellencys Command, your Petitioner proceeded upon said Business, but was so impeded & Obstructed for Want of Hands to Labour, that he could not carry it through, The People in Moultonborough being all imployed by Coll° J : Moulton, who greatly disapproved of said Road, which has since been enfenced by some Person or Persons unknown to y^r^ Petitioner, — And Your Petitioner has been necessitated to hire Labour from other Townships at a greater Expence, and has proceeded to work on s^d^ Road to the Amount of Twenty Two Pounds Eleven Shillings & three Pence Lawf – Money, but as he meet with so many Difficultys, and not having it in his Power or Ability to hire necessary Hands to Accomplish his Instructions from His Excellency, Y^r^ Petitioner humbly prays the Advisement of this Honble Court on the Premises, And to grant him the Repayment of his Advances, and such an Additional Sum out of the Province Treasury, as will enable him to enforce the said Act, against the Obstructions of any Person or Persons, who either through Interest or Influence should refuse Obedience to an Act of this Honble Court, without shewing Cause for the same; Your Petitioner humbly submits this his Petition to the Consideration of Y^r^ Excell^cy^ and Honours to grant him such Relief thereon as in your Wisdom you may think will best Conduce to Answer the Prayer thereof, And as in Duty bound Y^r^ Petitioner will ever pray

Portsm° Feby 1st 1774 Joseph Senter

Province of New Hampshire } Read and In Council Feby 1st 1774 — ordered to be sent down to the Honble Assembly

Geo : King D Sec^y^

Province of New Hamp^r^ } In the House of Represen^s^ Feb 2^d^ 1774 this Petion was Read & Voted that the Petitioner Notify the Clerk of the Proprietors of Moultonborough by Serving him with a Copy of this Petition that they may be heard thereon on the third day of the sitting of the General Assembly after the first of March next

Wm Parker Cler Assembly

In Council Feby 4th 1774 Read and concurd

Geo : King D Sec^y^

[6–52] [*New Hampshire House to Massachusetts House.*]

Portsm° New Hamp^r 7th Feby 1774.

Sir By Reason of several Prorogations The House of Representatives of This Province have not had an earlier Opportunity of Consulting together since the receipt of Your Letter & the Resolves Accompanying the same of the 3d of June last the Contents of which they now Observe, highly approving & Concuring therewith —

By the best Intelligence we can Obtain it Appears that the British Ministry are resolved (in a great Degree if not fully) to Enslave the Inhabitants of the Colonies in America Subject to the Crown of Great Britain if by any Means they can Effect it, which much Concerns the Americans to withstand & Prevent

The proposed Method of Union in all the Colonies hath ever Appeared to us (since the first recommendation thereof) to be Absolutely Necessary, for which purpose this House Adopted the Resolves of the very respectable House of Burgesses in His Majestys Ancient Colony of Virginia, and Chose a Committee of Corrospondance Consisting of Seven Persons in May last as you'l please to observe by the Inclosed Extract You may therefore Depend on the ready Concurrance of this House with the Measures tho't Necessary to be pursued by the Other Colonies in the Cause of Liberty — We would gratefully Acknowledge the Prudence & Vigilance of the Patriotic Houses of Virginia and the Massachusetts Bay in so early taking and sounding the American Alarm — Be Assured also of our Assistance (small as it may be) by Contributing all in our Power to promote a General Union thro' the Colonies, which we hope will be so Strongly Cemented as not to be Easily Dissolved —

In the Name & by Order of the House &c J W Speaker

The Honble Speaker of the House of Representatives of the Province of the Massachusetts Bay

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[6–53] [*Memorial from Justices of the Superior Court*, 1774.]

Province of New Hampshire } To his Excellency John Wentworth Esquire Captain General & Commander in Chief in & over his majestys Province of New Hampshire & vice Admiral of the Same —

Humbly Represent the Justices of the Superior Court of Judicature &c now Sitting at Portsmouth within & for the County of Rockingham that David Foulsom of Newmarket in Said County Gen^t^ was

Indicted for forging Two Setts of Bills of Exchange & At this Same Term voluntarily Came into Court Confess[d] the Charge & Humbly pray[d] the Mercy of the Court after which a Great Number of the most Respectable Gentlemen in the Province appeared & Certified The Court that he was Ever before a person of an unblemished Character was Remarkable for his Integrity & uprightness & That he has Ever appeared Really penetent for the Crime which they apprehend his Imbarressed Circumstances Induced him to Commit that his youth & want of Experience with many other alleviating Circumstances plead So Strongly in his favour That though in Stricness of Law we must pass Sentence upon him for the Crime yet we Humbly apprehend him worthy of the Royal mercy and Accordingly Recommend him to your Excellencey for a pardon

March 18th 1774— Theodore Atkinson
Meshech Weare
Leverett Hubbard
William Parker

To his Excellency John Wentworth Esq[r] Captain General Governor & Commander in Chief in & over his majestys Province of New Hampshire & vice Admiral of the Same

We the Subscribers Barristers at Law of the within Mentioned Superiour Court most Humbly beg Leave to Recommend the within named David Foulsom as a proper Subject of the Royal mercy

March the 18[th] 1774— Jn[o] Sullivan
John Lowell
John Pickering Jun[r]

[*South Boundary of New Hampshire, April* 8, 1774.]

[Belknap Papers, Vol. II., p. 319.]

M[r] Sproule's account of an examination of the south boundary of New Hampshire.

The point at Hinsdale where the Southerly Line of the Province of New Hampshire strikes Connecticut River, Lies in 42° — 43′ — 59″ North Latitude and the Pine tree from whence this line begins lies in 42° — 41′ — 2″; (both Latitudes are deduced from accurate Astronomical Observati[s] taken by M[r] WRIGHT) but had this line been run on a due West coure deducting the Variation of the Needle

the point where it meets Connecticut River should lie in the same Parallel of Latitude with the Pine Tree ; now it appears the difference of Latitude is 2 Mile and 57 Seconds of the Equator, and the extent of the Line from the Pine Tree to Connecticut River is found to be 55 Statute Mile from an actual Survey ; these lines form the Base and Perpendicular of a Triangle containing 59872 Acres which Quantity of Land the Province of New Hampshire would have Gaind had this line been run on a due West course from the Pine Tree, exclusive of Variation Geo : Sproule

Portsmouth 8th April 1774

[6-54]

[Governor Wentworth's subsequent bill in the case, Livius *vs.* Wentworth. — Ed.]

[6-55] [*Grafton County Justices.*]

List of The Justices (Now Living) For the County of Grafton vzt — The Hon'ble

John Hurd	Daniel Rogers	John Wheatley
Moses Little	Peter Gilman	Joseph Peverley
Asa Porter	Thomas Westbrook Waldron	Daniel Brainerd
Theodore Atkinson	Eleazer Wheelock	Joseph Holbrook
Daniel Warner	John Fenton	Seth Wales
Mark Hk Wentworth	Samuel Livermore	Samuel Gilbert
Jonathan Warner	Bezaleel Woodward	Thomas Merrill
Daniel Rindge	Israel Morey	John Goff
George Jaffray		Esquires

Portsmouth 5th September 1774 —

attest John Fenton Cl

[6-56] [*Hillsborough County Justices.*]

A List of his Majesty's Justices of the Peace for the County of Hillsborough 12th of September A D 1774

John Goffe, Edward Goldstone Lutwyche, John Hale, John Shephard Junior, Reuben Kidder, Samuel Hobart, Samuel Blodget, Mat-

thew Thornton, Stephen Holland, Samuel Wentworth, Matthew Pattin, James Scales, William Clark, Ezekiel Chase, Jeremiah Page, James Underwood, Benjamin Page, Robert Fletcher, Andrew Fuller, Moses Nichols, George Jackman, Ebenezer Harnden Goss, Zaccheus Cutler, Isaac Andrews, Joshua Atherton, Samuel Cumings, Joseph Kimball, John Fenton.

Stephen Holland Clerk

[*Colonel Atkinson's Orders to Captain Dennett.*]

[Belknap Papers, Vol. II., p. 299.]

Province of New Hamp^{r}

To Capt John Dennet & the Commission Officer of the First Regiment of Militia in the Province of New Hampshire —

Gentlemen You are without Delay to Enlist or Impress Thirty effective men to Serve his Majesty as a Guard & Protection to his Fort William & Mary at New Castle, and Make Return Imediatly to me of your doings therein with the Names of the Persons So inlisted &c^{a} that Provision may be made for their being regularly placed in the Said Garrison for all which this is Your Warrant

I am Gentlemen Your ffriend &c^{a}
Theodore Atkison Col^{ll}
of the first regiment &c^{a}

Dated at Portsm^{o} in the Prov^{e} afores^{d} the 15th of Decem^{r} 12 o Clock at Noon

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[*Colonel Atkinson's Orders to Lieutenant Beck.*]

[Belknap Papers, Vol. II., p. 300.]

To Lieu^{t} John Beck — Greeting —

You Are to Notify & Warn all the Commission officers of the first regim^{t} of militia in this his Majestys Pro of New Hamp^{r} that are at Present within the Town of Portsm^{o} to attend on me at my Dwelling House or at the Council Chamber & this without Delay there to receive such further orders as may Issue

I am y^{r} ffriend &^{c}
T A Col^{l} of the S^{d} first regim^{t}

Portsm^{o} Xb^{r} 15 1774 — 7 oCl^{k} A M

[6–57]

[Report of a "Committee of both Houses appointed to consider of a Method for making a New proportion to be a guide for paying Taxes in this State." — ED.]

[6–58] [*Letter from Paul Wentworth of London.*]

Poland Street London the 13th Janry 1775.

Honble Sir. On the application of some poor distressed people on the west side of Connecticut river, deserving the pity of all men, and the protection of the Assembly of New Hampshire; a vote was passed to desire my assistance; but unfortunately in a form, which rendered it unfit to the purpose of qualifying me, as it was intended, to render them service — I shou'd have reaped the honor of expressing my acknowledgments to you, Sir, in behalf of the house, sooner; If I had not expected the instructions, which was to have followed the note.

I was therefore constrained to suppress any appearance of the authority from the assembly; clogged, as it was with a precautionary restriction, which might have been (perhaps better) taken care of another way — and wanting both instruction and matter, to support the claim of your province to the jurisdiction. I did, however, make out a petition shewing the rights, and oppressive treatment of these people, and subjoined, a little irregularly indeed, a state of your claims to the jurisdiction, by way of information, reflecting some light on the good faith and equity of the title under which they settled. It is too long to charge you with, but I shall endeavor to send a copy of it to Governor Wentworth among his dispatches. These lesser concerns have been lost in the more important affairs of America, giving the fullest occupation to that department; but I conjecture that the little share I took in them, procured to me the nomination of the Congress, (at the instance of Messrs Sullivan & Folsom) to the honor of delivering their petition to the King, which I was obliged to decline, for reasons which I hope will appear to be well founded to those gentlemen; to which I added in my letter to Dr Franklin, that without having any qualifications at all, that I knew of, I should not only take a very exceptionable part in regard to Mr Trecothick, who is still agent though he has withdrawn himself from all business; and of the legislature of your province, from whom I never had any authority, & regularly to represent them in any capa-

city. I thought to lay before you Sir, so much of this affair, and to take leave to refer you, if needful, to my letter to your delegates of the congress. I would avoid any solicitation of the honor of representing the interests of New Hampshire, but if fit opportunity offer, and my poor abilities may be in any degree usefully imployed, as their specific agent, or more liberally in the higher concerns of conciliating the interest of America with that of Great Britain, on the constitutional ground and safety which I trust is the wish of both parties — most readily shall I endeavour to shew my Zeal in so great a cause.

I have the honor to be Honorable Sir
your most obedient and very humble servant
(signed) P. Wentworth

[*Rules and Regulations of a Portsmouth Militia Company.*]

[Belknap Papers, Vol. II., p. 301.]

We the Subscribers being Desirous of Attaining the Military Art, Do Agree on the Following Rules & Regulations Viz^{t} —

1st That we will meet at some Place that shall be agreed on by the Company every Monday & Thursday Evening for the Purpose aforesaid —

2dly That on the First Monday Evening in every Month (After the Exercize is over) we will choose a Proper Person to Instruct and Preside over the Company also a Clerk and any Other Officers that may be Judged Necessary —

3dly That we will Pay obedience and Strict Attention to such as we shall Appoint from Time to Time to Instruct & Command the Company —

Portsmouth Decem^{r} 20th 1774 —

April 6th 1775 The Company taking into Consideration the Shortness of the Evenings and their Numbers being so much Increased that it is inconvenient to Exercize any longer within Doors Therefore Voted —

That after the 10th Day of April Instant we will meet on the Parade or some other Convenient Place on Monday and Thursday Mornings Precisely at Sunrise —

Voted that Doct^{r} Hall Jackson Messrs James Sheafe Geo Hart Geo Gains & Jeremiah Libbey be a committee to wait on the Honble Theodore Atkinson Esqr Col^{l} of the Regiment to which we belong and

Request the favour of him to grant us liberty to beat a Drum to call the Company together, and Also to Present to him a Copy of our rules and Regulations that he may be convinced that we are not a Company detach'd from his Regiment and Command —

Portsmouth April 7th 1775 —

a True Copy attest J. Libbey C[1]

[6–59]

[*Address to the King, from the Provincial Congress, May,* 1775.]

To the Kings most excellent Majesty

Most gracious Sovereign

We your Majesty's faithful subjects of the colonies of New hampshire, Massachusetts bay & Rhode island and Providence Plantations, Connecticutt, New York, New Jersey, Pennsylvania, the Counties of New Castle, Kent & Sussex on delaware, Maryland, Virginia, North Carolina and South Carolina, in behalf of ourselves and the inhabitants of these colonies, who have deputed Us to represent them in general Congress, entreat your Majestys gracious attention to this our humble petition.

The Union between the Mother Country and these colonies, and the energy of Mild and just government produced benefits so remarkably important, and afforded such an assurance of their Permanency and increase that the Wonder and envy of other Nations were excited while they beheld Great Britain riseing to a power the most extraordinary the World had ever known.

Her rivals observing that there was no probability of this happy connection being broken by civil dissentions and apprehending its future effects if left any longer undisturbed resolved to prevent her receiving such continual and formidable accessions of wealth and strength by checking the growth of those settlements from which they were to be derived.

In the prosecution of this attempt events so unfavourable to the design took place, that every friend to the interests of Great Britain and these Colonies entertained pleasing and reasonable expectations of seeing an additional force and extention immediately given to the operations of the Union hitherto experienced, by an enlargement of the dominions of the crown, and a removal of ancient and warlike enemies to a greater distance.

At the conclusion therefore of the late War, the most glorious and advantageous that ever had been carried on by British Arms, your loyal colonists having contributed to its success, by such repeated and

strenuous exertions, as frequently procured them the distinguished approbation of your Majesty, of the late King, and of parliament, doubted not but that they should be permitted with the rest of the empire to share the blessings of peace and the emoluments of Victory and conquests — While these recent and honourable acknowledgments of their merits remained on record in the journals and acts of that august legislature the Parliament, undefaced by the imputation or even the suspicion of any offence, they Were alarmed by a New system of statutes and regulations adopted for the administration of the Colonies, that filled their minds with the Most painful fears and Jealousies ; and to their inexpressible astonishment, perceived the dangers of a foreign quarrel quickly succeeded by domestick dangers, in their judgment of a more dreadful kind.

Nor were their anxieties alleviated by any tendency in this system to promote the Welfare of their Mother Country. For tho' its effects were more immediately felt by them, yet its influence appeared to be injurious to the commerce & prosperity of Great – Britain.

We shall decline the ungrateful task of describing the irksome Variety of artifices practiced by many of your Majestys Ministers, the delusive pretences, fruitless terrors, and unavailing severities, that have from time to time been dealt out by them, in their attempts to execute this impolitic plan, or of traceing thro' a series of years past the progress of the unhappy differences between Great Britain and these colonies, that have flowed from this fatal source.

Your Majestys Ministers persevering in their Measures and proceeding to open hostilities for enforcing them, have compelled us to arm in our own defence, and have engaged us in a controversy so peculiarly abhorrent to the affections of your still faithful colonists, that when we consider whom we must oppose in this contest, and if it continues what may be the consequences our own particular misfortunes are accounted by us, only as parts of our distress.

Knowing, to what violent resentments and incurable animosities, civil discords are apt to exasperate & inflame the contending parties, we think ourselves required by indispensable obligations to Almighty God, to your Majesty, to our fellow subjects and to ourselves immediately to use all the means in our power not incompatible with our safety, for stopping the further effusion of blood, and for averting the impending calamities that threaten the British Empire —

Thus called upon to address your Majesty on affairs of such Moment to America and probably to all your dominions, We are earnestly desirous of performing this office with the utmost deference for your Majesty : and we therefore pray, that your royal Magnanimity and benevolence may make the most favourable construction of

our expressions on so uncommon an occasion. Could we represent in their full force the sentiments that agitate the minds of us you, dutiful subjects, we are persuaded, your Majesty would ascribe any seeming deviation from reverence, in our language and even in our conduct, not to any reprehensible intention, but to the impossibility of reconciling the usual appearances of respect with a just attention to our own preservation against those artful and cruel enemies, who abuse your royal confidence & authority for the purpose of effecting our destruction.

Attached to your Majestys person, family and government with all the devotion that principle & affection can inspire, connected with Great Britain by the strongest ties that can unite societies, and deploring every event that tends in any degree to weaken them, We solemnly assure your Majesty that we not only most ardently desire the former harmony between her and these colonies may be restored, but that a concord may be established between them upon so firm a basis, as to perpetuate its blessings uninterrupted by any future dissentions to succeeding generations in both countries, and to transmit your Majestys name to posterity adorned wth that signal and lasting glory that has attended the memory of those illustrious personages, whose Virtues and abilities have extricated states from dangerous convulsions, and by securing happiness to others have erected the most noble & durable monuments to their own fame.

We beg leave further to assure your Majesty, that notwithstanding the sufferings of your loyal colonists during the course of the present controversy, our breasts retain too tender a regard for the kingdom from which we derive our origin to request such a reconciliation, as might in any manner be inconsistent with her dignity or her welfare — These related as we are to her, honour and duty as well as inclination induce us to support and advance; and the apprehensions that now oppress our hearts with unspeakable grief once removed, your Majesty will find your faithful subjects on this continent, ready and willing at all times, as they have ever been, with their lives and fortunes to assert and maintain the rights and interests of your Majesty & of our Mother country.

We therefore beseech your Majesty that your royal authority and influence may be graciously interposed to procure us releif from our afflicting fears & jealousies occasioned by the system before mentioned, & to settle peace through every part of your dominions, with all humility submitting to your Majestys wise consideration, whether it may not be expedient for facilitating those important purposes that your Majesty may be pleased to direct some mode by which the United applications of your faithful colonists to the throne, in pursuance of their common councils may be improved into a happy and

permanent reconciliation; and that in the mean time measures be taken for preventing the further destruction of the lives of your Majesty's subjects; and that such statutes as more immediately distress any of your Majestys colonies be repealed: For by such arrangements as your Majestys Wisdom can form, for collecting the United sense of your American people, we are convinced, your Majesty would receive such satisfactory proofs of the disposition of the colonists towards their sovereign and the parent state, that the wished for opportunity would soon be restored to them, of evincing the sincerity of their professions by every testimony of devotion becoming the most dutiful subjects and the most affectionate colonists.

That your Majesty may enjoy a long and prosperous reign and that your descendants may govern your dominions with honor to themselves & happiness to their subjects is our sincere and fervent prayer

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[6–60] [*Deposition of William Pearn and Jacob Sheafe, Jr.*]

The Deposition of William Pearn & Jacob Sheafe Jun of Portsmouth, Merchants, who testify, and say that when Capt John Conklin was last at Portsmouth being about three Weeks past, the Deponents agreed with said Conklin to take a Quantity of Provisions, which said Conklin, then engaged to bring into this port as soon as he Could. The Reason of the Deponents then engaging said Provisions was the great Want of them in this Town, and further saith not

Portsmouth 29th May. 1775 — Willm Pearn
Jacob Sheafe junr

Rockingham ss Portsmo May 29th 1775. Then the abovenamed Wm Pearn and Jacob Sheafe jr personally appearing made Solemn Oath to the Truth of the above Deposition by them Subscribed Before Saml Penhallow J Peace

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[6–61] [*Minutes of Council, May* 29, 1775.]

At a Council held at Portsmouth the 29th Day of May 1775.

Present The Governor Jonathan Warner Daniel Rindge George Jaffrey John Sherburne Esqrs

His Excellency having acquainted the Council that the Secretary & depy Secretary were out of Town nominated John Fisher Secretary pro hac vice

to which the Council did advise and consent and the Oaths of office

were accordg administred Mr Jac. Treadwell and Mr Jacob Sheaffe Junr present a Memorial from themselves & others Merchts Freeholders & other Inhabitants of this Town setting forth that two Vessels laden with Provisions contracted for by some Merchts for the Supply of the Inhabitants were detained by His Majesty's Ship Scarborough to be sent to Boston &ct & praying that His Excy & Honrs would interfere to liberate said Vessels & Cargoes — The Memorialists declare themselves very apprehensive of the most alarming Consequences from this Measure that in the present immediate Want of Provisions in this & the neighboring Towns the immediate assembling of large Bodies of People is to be apprehended and fatal Consequences dreaded.

[6–62] [*Minutes of Council, May* 29, 1775.]

Province of Newhampshire —

At a Council held at Portsmouth the 29th Day of May 1775 —

Present His Excellency the Govr in Council —

[The foregoing document is here repeated, and to it is appended the following :]

The Council having fully considered and deliberated upon the Matter are of opinion, That the Poor of this and the neighbouring Towns are in the greatest want of Corn and other Provisions — and it appearing that the Cargoes of said Vessels had been contracted for for their relief and sustenance and also for the supply of the Inhabitants The Council are convinced there is the greatest Reason on these Accounts to apprehend the most violent outrages and tumults of the People will immediately follow this Detention of their Provisions the Consequences of which will be most probably very fatal to His Majesty's Service, by bringing into the most imminent Danger the Lives and Properties of His Servants which ought by all means to be prevented if possible

The Council therefore think it is their Duty to advise Your Excellency will be pleased to acquaint Capt. Barkley of these circumstances, not doubting but he will perceive that No general Orders can be intended to authorize him to cut off the Provisions actually procured for the necessary Sustenance of the Poor and Inhabitants of this Town, or impower him to interrupt the peaceable Subjects of His Majesty in this Province in pursuing their lawful Commerce.

Copy from the Minutes of the Council of His Majesty's Province of Newhampshire

examined by J Fisher Secretary pro hac Vice

[*Governor Wentworth to Theodore Atkinson.*]

[Belknap Papers, Vol. II., p. 302.]

Castle William and Mary 17th June 1775:

Dear Sir, Captain Barkley has this morning seized the Sloop King fisher, Jona Eaton master, laden with thirteen hogsheads & three tierces of Molasses, bound from Newbury to Piscataqua; for breach of Acts of trade. This Sloop run into Little Harbor and unladed Eight Cash into a Gondula, without entering or reporting at the Custom house — Capt Barkley sends information to the Custom house & directing to have Vessel & Cargo forthwith libell'd in the Court of Vice Admiralty, This is not therefore any Stoppage upon his general orders relative to Provision vessels &c — but wou'd have taken place any time heretofore, I therefore hope, it will be so consider'd & occasion no disturbance in town.

We shall rejoice exceedingly to see you in this our pleasant retirement, where we breath a good air & some safety from unreasonable Attacks.

Mrs W & our son are pretty well we unite in best Respects to you — I am with great regard

My dear Sir your very faithful

J' Wentworth

Honble Theodore Atkinson Esq.

[*Committee to Remove the Records*, 1775.]

[Belknap Papers, Vol. II., p. 303.]

In Provincial Congress at Exeter the 28th June 1775

Whereas in the present unhappy Situation of Affairs in this Colony it is thot by this Congress that the public Records are not safe in the Town of Portsmouth

Therefore resolved that William Weeks Stephen Evans & Saml Dudley Esqrs Mr Samuel Brooks & Lieut Thomas Bartlett or the major part of them be a Committee to proceed to the Secretary of this Colony the Clerk of the Superior Court the Recordor of Deeds the Register of the probate of Deeds &c and the Clerk of the inferior Court for the County of Rockingham & take Charge of all the public Records in their respective Offices both provincial & those for the County of Rockingham & remove the same to the Town of Exeter & that they desire the Officers Keepers of the aforesaid

Records to remove to Exeter & there take Charge of their Respective Records But if the aforesaid Officers should refuse to remove to Exeter then said Committee are hereby empowered to give Receipts for said Records & to indemnify the Several & Respective Officers [Torn] delivering the same

Extracts from the Minutes

Attest E Thompson

Copy examined by Sam[l] Brooks

[*Governor Wentworth to Theodore Atkinson.*]

[Belknap Papers, Vol. II., p. 304.]

Castle W[m] & Mary July 3[rd] 1775.

Dear Sir, I have occasion to inspect the books of Charters in the Secretary's office, & to make some minutes out of them, I desire you'l deliver them to the bearer for that purpose, and I will be responsible for their safety & return into the Secretary's office — M[rs] Wentworth join with me in due regards to you, we also present the same in behalf of our boy Charles Macy, who promises to make a good Fisherman & perhaps a good Gunner — I am

Dear Sir yours &c[a]

[Signature of J. Wentworth torn off. — Ed.]

Hon[ble] Theodore Atkinson Esq :

[*Secretary Atkinson's Proposed Answer to the Committee.*]

[Belknap Papers, Vol. II., p. 305.]

Portsm[o] New Hamp[r] July 4[th] 1775 —

Gentlemen of the Com[tee]

I have Seen your appointment & Directions from the Provincial Congress to receive from me the records & files of the Secretarys office this Delivery by me would be a Transaction that I dare not be a Voluntier in — My appointment is by His Majesty's Special Commission to be Secretary of this Province & to hold the Same during his Majestys Pleasure & my residence in the Same by which appointment I execute that office in the different Branches of Duty Viz as

recording the Transactions of the General assembly — & of the Govern^{r} & Council when they meet on any other or Special Occasion also when they Set as a Court of Appeals from the Courts of ye Comon Law in this Province or from Sentences of the Courts of Probate of Wills &c^{a} — I am also to give every Vessill a Certificate & Passport that She is regularly cleared outwards these are all Seperate Branches of the Secretary's Office. And I am under oath to keep the Same agreeable to the Directions of the Law in all Things where unto that office hath relation & thus the records &c^{a} are comitted to my Care & Trust &c^{a} now Gentlemen Consider My Situation — If I am active & Voluntarly diliver these archives so committed to my Care without Proper Authority am I not Criminal — In this Province I know there is not above one Single President of this Nature (& that not a Parallel) this happened in Govern^{r} Cranfield Time or Soon after he abdicated the Chair of Government of this Province — a Number of Men armd attack'd the Secretarys Office (one Chamberlain then Secretary) and forced from him all the records & files thereof not only what is now esteem'd the Secretarys Office but also what is now called the recorders such as Deeds & conveyances of freehold estates — also those of the Court of Probate of Wills &c^{a} — & the Several Courts of Common Law — General sessions of the Peace &c^{a} &c^{a} what Confusion this Transaction occasioned is not to be concieved — all the archives of the Pro^{v} was held in the Hands of the Multitude and which so remaind til the Glorious Revolution in King William & Queen Marys Time when a General Amnesty took Place &c^{a} &c^{a} &c^{a} — notwithstand those records & files have never to this Day found the Way to their respective offices but Still remain (what is left of them) in that confused Condition to this Time and doubtless many Widows & Orphans as well as others have met great disadvantages & Sufferd much loss — If you turn your tho^{ts} to the Present Distressing Situation of N America —

Two armies of Twelve or fifteen Thousand Men Each & both his Majesty Subjects now encamped within Cannon Shot & each other alternatly Spiling the Blood & Spreading the Carnage of their Fellow Subjects these I think call for all our tho^{ts} & Endeavour how to extrecate us without haleing into Action any affair not likely to Contribute to the first & grand affair of Peace & Harmoney between great Britain & America — If you examine the Transactions of the Neibouring Province for Presedents your Search I imagine will be fruitless — General Gage has been personally at Salem and thô he disapproved the Transaction of the Town Meetings he never pretended to intermedle with the records — Cambridge Whose Situation is in the Midst of the Dispute nor Concord thô that town has been Plundred

yet the County or Town records remain unaffected — for these reasons I cannot think any such Power as takeing the records from the usual Places &c[a] was Delegated to you in Your appointment I have been thus prolix in giving the reasons why if the record of y[e] Sec[ys] office are taken out of my Possession by you they will be taken without my Consent or approbation I am Gentlemen Yours

A rough of a Letter Proposed for the Congress at Exeter or y[e] Comittee July 5[th] 1775 but not forwarded —

[*Secretary's Answer Delivered to the Committee.*]

[Belknap Papers, Vol. II., p. 306.]

Portsmouth N H July 6[th] 1775

Gentlem In Answer to your request Touching my Dilivery of the records, and files, belonging to & now in the Secret[rys] office of this Province I beg leave to Acquaint you that I am by his Majestys Special Commission Appointed Secretary of this Province during his Majestys Pleasure & my residence in the Province — and Agreable thereto I was Admitted & Sworn into that office & had the keeping of Archives belonging thereto dilivered to me & put under my Direction & in my keeping you cant but See my Honour & my Oath forbids my consent or even Connivance in Such a Dilivery unless accompany'd with his Majestys Supersedeas or my not being rasident in the Province Gentemen the Difficulties I may Say the Distresses in the Province and indeed of the whole Continent are Such that every Cause of additional Perplexity need be avoided I have Gentlemen no tho[ts] of attempting to maintain the Security of the records in my Custody by force this I know would have no good Effect my Aim is only to remove the Grounds of Complaint y[t] may be entered against me for either Neglect or Male Practice in the Execution of my Said office I am Gentlemen with Proper regards —

Your Humble Serv[t]

Copy Theod[r] Atkinson

Copy deliverd to Maj[r] Weeks & the rest of the Com[tee]

[*Secretary Atkinson Accountable for the Books of Charters.*]

[Belknap Papers, Vol. II., p. 307.]

In Provincial Congress at Exeter the 7th July 1775

Whereas this Congress have resolved it as their Opinion that all the public Records of this Colony were at this time unsafe in the Town of Portsmouth & that the same should be removed to the Town of Exeter All which records have in consequence thereof been removed by a Committee appointed for that purpose as far as came to their knowledge except the Books of Charters of the several Townships in this Colony Therefore it is now resolved that the Honble Theodore Atkinson Esq Secretary of the Colony is accountable to the People for said Records and that he ought without delay to deliver the same to the Committee

Extract from the Minutes

Copy Attestr Noah Emery Depy Secy

Sr the Above is Copy of what I recd from Majr Weeks on of the Comittee that required the records &ca the other Day I made the Same answer to him that I did to the Comtee the other Day Viz that I could make no Delivery — if they took them they must be answerable Majr Weeks Seemed Sorrowful that he was appointed &ca —

Monday July 10 — 1775

To his Excellency the Govr ℔ Mr McDonough —

[*Atkinson's Account to the Governor.*]

[Belknap Papers, Vol. II., p. 308.]

Portsmo N Hampr July 7th 1775

Sr Your Excellency will give me Leave to acquaint you that on the 4th Inst I had a Visit as Secretary from a Comtee appointed by the Provincial Congress of this Colony held at Exeter when they Shew me their appointmt & requested the Dilivery of all the records & files in the Secrys office I told them it would be agst my Honr & my Oath of office to be a Voluntier in such dilivery after an Hour's moderate Conversation & without any heat the Comtee left me & I was in hopes I should not have had any further Visit from them but on the 6 Inst they came again and urged the Dilivery I Stil refused as before & told Them They well knew it was not in my Power to defend the office by force of Arms if they took the records &ca or any of them they must be answerable they then Entred the office & took All the

Files & Records belonging to ye Sec^rys^ office Except those books in which was recorded the Several Charter Grants of Land which were with your Excellency to take some Minutes from the Com^tee^ offered me their rec^t^ agreable to their orders from the Congress but I refused being otherwise concerned than barely as a Spectator they then Cleared the office of All the Books & Papers & Transported them to Exeter & where they are (as I am Informed) remain til further order that I have Stated the facts as they Occurrd & I am May it Please Your Excellency

Your Excellency most obedient Humble Servt

Govr Wentworth T A

[6–63]

[*Removal of Records from Office of Recorder of Deeds*, 1775.]

Province of New Hampshire } To his Excellency John Wentworth Esquire Governor of said Province The Honble the Council & House of Representatives

Humbly Sheweth Joseph Peirce of Portsm^o^ in the County of Rockingham & Recorder of Deeds for said County that on the 4th Day of July 1775 William Weeks Samuel Dudley Esquires & Samuel Brooks came to your Petitioner & informed him that they with others were a Committee appointed by the Congress for this Province then setting at Exeter to take into their Possession all the Publick Records in said Portsmouth & to remove them to Exeter — Your Petitioner objected to the removal & told the Committee he was appointed to his Office by the General Assembly of this Province & was answerable for the safekeeping of the Records committed to his Care, to which they answered that they were appointed to take the Records and were determined to do it — And in the Afternoon of the same Day Said William Weeks & Samuel Dudley came again to your Petitioner's Office, and the said Weeks went immediately to one of the Cases wherein were Part of the Books of Records & took hold of a Book to remove it, upon which your Petitioner asked him if he was still determined to move the Records, to which he replied they were — Then your Petitioner told him the said Weeks that the Petitioner was appointed by the General Court & under Oath & large Bonds for the safe keeping of the Records, the said Weeks replied that many of the Representatives were of the Congress & knew it very well — The Petitioner then desired said Weeks to consider well what he was about, for it was expressly against the Petitioner's Consent — Your Petitioner was then informed by said Weeks that if he

attempted to hinder the Removal of the Records, they, meaning the Committee, would come the next Day with a sufficient Number of Men to remove them

But notwithstanding the repeated Denial of your Petitioner and Remonstrance against the Removal of the Records, the said Weeks declared that the Com^ee were appointed by the Congress & would execute their Trust. and accordingly they said Weeks & Dudley with two other Men, who were waiting with a Cart at the Door, proceeded & took away all the Books of Records belonging to the Office of your Petitioner to Carry, as they said, to Exeter — And after on the 6th Day of the same Month the said William Weeks & Stephen Evans Esq^rs Mr Sam^ll Brooks & Mr Thomas Bartlett came to the Office of your Petitioner & against his Will & express Refusal took away all the Files & Papers of Record in his Possession, to carry as they said to Exeter —

In such a Situation your Petitioner conceives it his Duty to give the earliest Information of the above facts to your Excellency & Honours that you may pass such Order thereon as in your great Wisdom you shall judge proper, and prays that you would secure him from all Damages on Account of the Records being so removed, & from any Risk while the Records so remain out of his Possession —

And your Petitioner as in Duty bound will ever pray &c

Portsm^o 15th July 1775 Joseph Peirce

[*Atkinson to Governor Wentworth*, 1775.]

[Belknap Papers, Vol. II., p. 309.]

Portsm^o Monday July 17 — 1775

S^r On Saturday last at half after one o'Clock the House adjourned till Three in the afternoon — the Council did The Same — near five the House again adjourned till 3 this afternoon when I understand by some of the Members they Propose to make a Quorum to receive your Excellencys further Directions — which was bro^t me by M^r M^c-donough after the adjournm^t & the Members Dispersed & of Course your Excellencys mesage not dilivered — I Propose late this afternoon to deliver it if the Speaker should be in Town or they Should make a House If that Proceed^r & should not meet your Excellencys approbation you^l Please to Let me have your further Directions — I am may it Please your Excellency

Your Excellencys most obedient Humble Servt

Theodore Atkinson

Govern^r Wentworth

[*Wentworth to Atkinson.*]

[Belknap Papers, Vol. II., p. 310.]

Fort William and Mary July 21st 1775

Sir, Captain Barkley (at noon) gave me the inclosed paper, which I hope may effect a continuance of the boat fishery. You are sensible that I have not any powers to alter or direct in this matter, the execution of the Restraining Act, being committed to the Navy & Custom house.

I am with due Regard & Respect

Sir, your most obedient servant

J' Wentworth

The Honorable Theodore Atkinson Esq —

[*Captain Barkley's Conditions.*]

[Belknap Papers, Vol. II., p. 311.]

Captain Barkley will suffer the open boats of the Town of Portsmouth & the Country to go a Fishing for fresh fish only first having a permit from him, for that purpose, provided the Town of Portsmouth will let His Majesty's Ship under his Command be supplied with Fresh Beef as usual ; at the common market price & our boats to pass & repass without Molestation

Scarborough July 21st 1775.

[*Atkinson to Wentworth.*]

[Belknap Papers, Vol. II., p. 312.]

Portsm° N H August 11th 1775

Sr Immediatly after I recieved your Excellencys Letter of Yesterdays Date (which was about 10 oClock this Morng) relative to the Inhabitants of this Town fireing on Capt Barkley's Boat I sumoned the Council to meet at 12 but did not make a Quorum til this afternoon when the Council was Truely Informed that a Town Meeting was Immedately Notifyed & a very full Meeting of the Inhabitants appeared & regularly & Deliberately Passd a Vote with a large & uncommon Majority in which they disapproved the Transaction &ca

your Excellency herewith hath the Vote of the Meeting attested — and alsoe the Minute of Council —

Your Excellency will Please to bare in mind the Phrase of Currat Lex has been Some Time past interrupted the Kings attorny gave it as his oppintion that y^r^ Present Situation was too uncertain & unsteady to enter any Actions in the Common Course of Law & which advise was then approved — and I see no reason why the Same Cause should not Produce the Same Effect now as then.

[*Wentworth to Atkinson.*]

[Belknap Papers, Vol. II., p. 313.]

Fort William & Mary 17th August 1775.

Sir, I desire that you will summon the Council to meet here this Afternoon at 4 o'Clock, if possible, if not at Nine O'Clock tomorrow Morning without Fail, having Occasion to lay some Matters concerning His Majesty's Service before them for their Consideration & Advice — Please to send Me an Answer as soon as may be.

I am Sir,
Your most obedient Humble servant
J' Wentworth

The Honorable Theodore Atkinson Esqr

[*Answer to the Foregoing.*]

[Belknap Papers, Vol. II., p. 314.]

Portsm^o^ August 17—1775
half after 4 oClock P—M —

S^r^ I this Inst^t^ recivd your Excellencys Comand, of this Day but too late to Summon the Council to attend y^r^ Exy at Fort W^m^ & Mary but Shall endevour to do it so as to attend on y^r^ Excellency on the Morrow as you order I am Your Excellencys
most obedient Humble Servt

T A

[6–64] [*George Jaffrey to Noah Emery*, 1775.]

Portsm° Aug^st 28th 1775 —

Noah Emery Esqr

Sr This day I received a Copy of a Vote of Provincial Congress of ye 25th Inst^t attested by you as Deputy Sec^ry, requiring me to lay my Treasury Acco^ts before the Congress, (in order that the Same may be Settled) on Tuesday next if the Congress be then Setting, and if not then Setting, on the Second day of the Sitting of the Congress after that time, — I should be obliged to you for your favour of informing the Congress, that for Safety, I had removed my Accounts and papers from my house, that I could not readily have them on any Occasion, or So Soon as to comply with the Request of the Congress at the times proposed in their Vote — as a Provincial Officer, constant and invariable Custom necessarily obliges me, to render my Treasury Acco^ts to the General Assembly, who with the Other Branch of the Legislature Settle those Acco^ts by which Method of Settling the Treasurer's Acco^ts they only, with consent of the third Branch of Legislature can give the Treasurer a Discharge — So that any Settlement by the Congress, would not prevent the Requisition of a Settlement by the general Assembly and the other Branches of Legislature — it would be a Case very Singular and unknown, that the Treasurer should be accountable, to two Seperate and different Authorities in the Same Province, & what was never required of any Officer — and as the Session of the general Assembly is near at hand, and no Injury can Occurr to the Province by my accounts being Settled by the only constitutional Authority for that purpose — I hope the Congress will candidly consider the Situation of the Province Treasurer, and be Satisfyed with the Settlement of his Acco^ts by the general Assembly — your good Offices in that Respect with the Congress, will much Oblige S^r

your most Obed^t Servt

Geo : Jaffrey

[See Vol. VII., pp. 578, 607. — Ed.]

[*Atkinson to the Captain of the Boyn*, 1775.]

[Belknap Papers, Vol. II., p. 315.]

Portsm° Augt 29 1775

Sir Sometime since the Ship Elizabeth arrived in this Harbour from Granada & was stopped by Capt Barclay Commander of his

Majestys Ship the Scarborough for having as he said ordnance stores on board & was from hence by him carried to Boston The freight to a Considerable amount she had on board belonged to different merchants in this Town. The want of having certain necessary Papers Completed prevented the owners of the freight or their Agent from taking Passage in one of those Ships to Boston. They have thot it absolutely necessary to take this only method of Sending Mr Hale the Bearer of this to Boston to personate the owners. I therefore think it reasonable that he be permitted to pass to Boston & desire the Boat & hands be suffered to return —

With much respect I am Your Obedt Humble Servt

Copy Theodr Atkinson, Pres

To the Commander of his Majestys Ship the Boyn in Nantasket road Boston

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[*Governor Wentworth to Atkinson.*]

[Belknap Papers, Vol. II., p. 316.]

Gosport 21st September 1775.

Sir Being just arrived at the Shoals, and press'd for time; I can only desire that the inclos'd proclamation for proroguing the General Assembly to the 24th April next, may be forthwith published and made effectual to it's intent. Mr King will transmit me the Copy of Capt Gamble's patent, properly countersigned — Mrs W & her son, her mother & brother were well at Boston yesterday morning, & desire their regards to you.

I am in haste, Dear Sir, your most obedient humble Servant;

J' Wentworth

Honorable Theodore Atkinson Esq.

[*Governor's Proclamation.*]

[Belknap Papers, Vol. II., p. 317.]

Province of New Hampshire } By the Governor, A Proclamation.

Whereas the General Assembly is now under Adjournment to Thursday the 28th instant, and it appearing to Me no Way conducive

to His Majesty's Service or the Welfare of the Province that the Assembly should meet on that Day, but that it is expedient to prorogue them to a further Time ;

I have therefore thought fit to issue this Proclamation proroguing the Meeting of the General Assembly appointed to be held at Portsmouth on the 28th of September instant, to the 24th Day of April next at ten o'Clock in the Forenoon, and the General Assembly is hereby prorogued accordingly to that time, then to meet at the Court House in Portsmouth aforesaid ; And hereof all Persons concerned are to take Notice and govern themselves accordingly.

Given at Gosport the Twenty first Day of September in the fifteenth Year of the Reign of our Sovereign Lord George the third by the Grace of God of Great Britain France & Ireland King, Defender of the Faith &ca and in the year of our Lord Christ 1775.

J' Wentworth

By His Excellency's Command
Theodore Atkinson Secry

God Save the King.

[6–66]

[Account of seamen of the ship "Prince George," Captain Richard Emmes, October 27, 1775. — Ed.]

[6–67–75]

[Accounts of the committee for exporting provisions. This committee consisted of Messrs. Cutts, Sherburne, and Long. — Ed.]

[*Governor's Proclamation.*]

[Belknap Papers, Vol. II., p. 318.]

Colony of New-Hampshire.
By the COUNCIL *and* ASSEMBLY,
A PROCLAMATION.

Whereas the Congress of this Colony have, agreeable to a Recommendation from the Honorable Continental Congress, resolved on, and form'd themselves upon a Plan of Government by a Council and House of Representatives ; which Plan has been published

and dispersed through the Colony, and is to be in Force during the present Dispute with Great-Britain, unless otherwise advis'd by the Continental Congress : — conformable to which said Plan of Government, the Council and Assembly have chosen, and appointed the proper Officers for the Administration of Justice, in the several Counties, who are to be sworn to the faithful Discharge of their several Trusts ; — It is therefore expected, that no Person or Persons, claim, or exercise any civil Authority, but such as are, or may be appointed as aforesaid, on the Penalty of being deemed inimical to their Country.

Provided nevertheless, and this PROCLAMATION is intended not to interfere with the Power of the necessary Committees of Inspection, or Safety, chosen in the several Towns through the Colony, by Virtue, and in Consequence of, any Recommendation or Resolves of the Continental Congress, — Whereof all Persons concerned, are to take due Notice, and govern themselves accordingly,

And at the same Time it is earnestly recommended, that in this distressing Day of public Calamity, when our Enemies are watching all Opportunities to ensnare and divide us, every one would strive to prevent, and if possible, to quell all Appearance of party Spirit, to cultivate and promote Peace, Union and good Order, and by all Means in their Power, to discourage Profaness, Immorality, and Injustice.

By Order of the Council and Assembly at Exeter, the 19th Day of March, Anno Domini 1776.

M. Weare President of the Council.

E. Thompson, Secretary.

GOD SAVE THE PEOPLE.

PORTSMOUTH, Printed by DANIEL FOWLE.

[6–76] [*Counterfeit Money*, 1776.]

Rindge May ye 1st 1776

Mrs Elen Parker Saith that She took a bill out of her Son Samuel's Chest and burnt it — being asked why She burnt it — She Said that Sam^ll^ Said it was a Counterfiet bill and She burnt it So that it might not Do any hurt — being asked when She burnt it She Said She burnt it to day Elen Parker

the Above was Declared before part of Rindge Com^tee^

attest Edwd Jewett Com^tee^ Clerk

Rindge May ye 7th 1776

I See Mr Jona^th^ Parker J^r^ quick after he came home (after the Committees had Adjourned thier meeting) and S^d^ parker Said that the Committee had used him dam^d^ Ill for Setting on the business Concerning his Persing the bad Money in his Absence

Enoch Hale

the above was Declared before ye Committee

Attest Edwd Jewett Com^tee^ Clerk

Rindge June ye 1st 1776

I the Subscriber being Present when Lieu^t^ Abel Stone told Sam^ll^ Parker that he had taken a bad bill off him ye s^d^ parker. S^d^ Parker Said he took the bill at Cooppers of Anotomy, & upon s^d^ Stones giving s^d^ Parker the bill he the s^d^ parker said that he would go & get some Money of his brother & pay it

Jehoshaphat Grout

the Above was Dclr^d^ before Rindge Committee

Attest Edwd Jewett Com^tee^ clerk

I Benjamin Lovering of Rindge in the county of Cheshire and Province of New Hampshire, aged Twenty two years, do hereby declare, that some time in latter part of the month of March last, being at the house of Jonathan Parker Junr Esqr of Rindge aforesaid, I accidently had the Top of a New Hampshire Bill where he saw it, and he asked me what it was, before he Inspected it. I told him it was the Top of a Bill I picked up at Exeter, says he what was it cut off for, says I, I suppose to put on the Top of another Bill, says he do you suppose any Body did ever do any such a thing, I told him I Imagined they had, says he if any Body should do any such a thing, they will see the Divel, (speaking in a heat,) and further says I am sure they will meet with Trouble, and Says he I hope nobody will do it : To which I am Ready to give my Oath.

Rindge May the 30th 1776. Benj^a^ Lovering

the above was Declerd before Rindge Com^tee^

Attest Edwd Jewett Committees Clerk

[6–78] [*Act to Establish the Legality of Certain Taxes*, 1776.]

In the Year of our Lord, one thousand seven hundred and seventy six

Colony of New Hampshire —

Seal An Act to remove any Doubts that have, or may arise concerning the Legality of any Taxes granted by the late Congress for this Colony ; and to enforce the payment of Taxes in future.

Whereas Doubts have arisen about the Legality of the Taxes granted by the late Congress, or Congresses for this Colony ; and about the legal Method of collecting & levying the same, and of other Taxes in future ; to remove which, and to direct what legal method shall be pursued for collecting and levying Taxes for the future.

Be it enacted by the Council and House of Representatives for this Colony in General Court assembled That all Taxes heretofore granted by any Congress for this Colony, shall be and hereby are declared good and legal : And That the several Constables, Collectors of Taxes in their Respective Towns and Parishes or the Treasurer of this Colony for the time being, are hereby required and directed to take use & pursue the same Method for the collecting and levying of any such Taxes or any other Taxes that may be legally assessed in future, as the Laws of this Colony provide and direct for the collecting and levying of Taxes within the same. Provided nevertheless that all Warrants or Processes for the collecting and levying any Taxes for the future shall be made to conform in Stile to the Law of this Colony directing what Stile shall be used under the present form of Government thereof : And that all Warrants and Processes for the collecting or levying of Taxes that have been herefore issued according to the form of Law Used & practiced in this Colony shall be good and valid notwithstanding any thing herein contained.—

In the House of Representatives June 25th 1776.

The foregoing bill having been read three Times Voted That it pass to be Enacted — P White Speaker —

In Council June 28th 1776 This Bill read a Third Time voted That the same be Enacted

E Thompson Secry M Weare President

[6–79]

[Vote of the House to emit "Twenty Thousand one hundred & Sixty pounds Lawful Money upon the Credit of this Colony for the use & Service thereof," July 3, 1776. — Ed.]

[6–80] [*Justices of the Peace for Rockingham County*, 1776.]

A List of the Justices of the Peace in & for the County of Rockingham as they are Entered in the General Commission of the Peace bearing date the fourth day of July Anno Domini One thousand Seven hundred and Seventy Six.

	of the Quorum	of the Honble Council	of the Peace	
The Honble	Meshech Weare			
	Matthew Thornton		David Gilman	Pembrook
	William Whipple		Josiah Moulton	Hampton
	Nathaniel Folsom		Samuel Cutts	Portsmouth
Novr 30th	Josiah Bartlett		Henry Prescott	New Castle
	Ebenezer Thompson		Noah Emery	Exeter
	John Wentworth		William Parker J^{r}	Exeter
	Wyseman Clagett		Samuel Dudley	Brintwood
	Jonathan Blanchard		Richard Bartlett	
	Samuel Ashley		Samuel Emerson	Chester
	Benjamin Giles		Nathan Bachellor	Loudon
	John Hurd —		Nathaniel Bachellor	Kingston East
			Josiah Gage	Pelham
	Leveret Hubbard	Portsm^{o}	Jeremiah Clough	Canterbury
	Samuel Penhallow	Portsm^{o}	Archelaus Moore	Canterbury
	John Dudley	Raymond	Samuel Mooers	Candia
	Hunking Wentworth	Portsm^{o}	Robert Wilson	Chester
	Jonathan Warner	Portsm^{o}	Ebenezer Stevens	Kingston
	William Weeks	Greenland	Samuel Little	Hampstead
	Walter Bryant	Newmark^{t}	John McClary	Epsome
	Richard Downing	Newington	Nicholas White	Plastow
	Benjamin Rowe	Kensington	Joseph Welch	
	Phillips White	S Hampton	Timothy Ladd	Wyndham
	Timothy Walker Jn^{r}	Concord	James Betton	Wyndham
	Jonathan Moulton	Hampton	Benjamin Butler	Nottingham
	Joseph Smith	Newmarket	David Lawrence	Epping
	William Moore	Stratham	John Bell	Londonderry
	John Webster	Chester	Daniel Ladd	Deerfield
	John Leavitt	N Hampton	Jeremiah Eastman	Deerfield
	Samuel Sherburne	Portsmouth	Joseph Dow	Hampton
	Peirse Long	Portsmouth	John Simpson	Newcastle
	Enoch Coffin	Epping	Nicholas Gilman	Exeter
	Samuel Jenness	Rye	John Rice	Exeter
	Amos Seavey	Rye	John Cram	Chichester
	Winthrop Gove	Seabrook	John Wendell	Portsmouth
Novr 28th	Enoch Brown	Poplin	Samuel Weare	Hampton falls
	Moses Barnett	Londonderry	James Stoodly	Newington

Colony of New Hampshire Rockingham ss

Exeter Febry 1t 1776 The Honble Phillips White Esqr was Sworn as Judge of the Probate &c for the County of Rockingham before the Honble M Weare & N Emery Commissioners

Eodm die Wm Parker Jnr Esqr was Sworn as Register of the Probate &c for the County of Rockingham before M Weare, P White & N Emery Commissrs —

June 12th 1776. The Honble Meshech Weare Esqr was Sworn as Chief Justice of the Superior Court of Judicature for the Colony of New Hampshire before P White & N Emery Commissrs — and The Honble Matthew Thornton & John Wentworth Esqrs were Sworn as Justices of Said Court before M Weare, P White & N Emery Commissrs

June 19th 1776. Deacon Samuel Brooks was Sworn as Recorder of Deeds &c for the County of Rockingham before M Weare & N Emery Esqrs Commissrs

July 4th 1776. Dr Joshua Bracket was Sworn as Judge of the Court Maritime for the Colony of New Hampshire — before M Weare & N Emery Esqrs Commissrs

Coroners for Rockingham

George Gains	Portsmo	Josiah Clark	Nottingham
Samuel Folsom	Exeter	Ezekiel Worthen	Kensington
Amos Coffin	Hampton	John Graham	Chester
Hubartus Neal	Newmarket	Samll Allison	Londonderry
Jonathan Swain	Raymond	Jesse Merrill	Salem
Nehemiah Wheeler	Epping	John Morrison	Wyndham
Jonathan Eastman		Jeremiah Lock	Rye
Abraham Bachelder		Simon Wiggin	Stratham
Benjamin Little Jnr		Daniel Page	Deerfield
Jonathan Eatton	Plastow	John Fabyan	Newington
Simonds Seccomb	Kingston	Stephen Ames	Hollis
John Nutter	Newington		

[6–81] [*Justices in the State of New Hampshire.*]

Justices of the Superior Court of Judicature —

The Honble Meshech Weare Esqr Matthew Thornton Esqr Leverit Hubbard Esqr & John Wentworth Esqr George King Esqr Clerk Samll Livermore Esqr Attorney Genl Nichs Gilman Treasr

Ebenezer Thompson & Wyseman Clgett Esqrs Special Justices of sd Court —

Inferior Court of Common Pleas for the County of Rockingham —

The Honble Josiah Bartlet, Nathl Folsom, John Dudley } Esq^{rs} Justices
Samuel Hale
Noah Emery Esqr Clark
John Parker Esq Shireff
Philips White Esqr Judge of Probate
William Parker Junr Esqr Register
Mr Samuel Brooks Recorder of Deeds
Mr Joseph Gilman County Treasurer

Inferior Court for the County of Strafford

the Hon^{l} George Ffrost, Otis Baker, John Plummer, Moses Carr } Esq^{rs} Justices
Ebenezer Thompson Esqr Clerk
Ichabod Rollings Esqr Judge of probate
John Wentworth J^{r} Esqr Register
Thomas W Waldron Esqr Recorder of Deeds
Thom^{s} W Waldron Esqr County Treas^{r}

Inferior Court for the County of Hillsborough

The Honble Jonathan Lovewell, James Underwood, Timothy Farrer, Jeremiah Page } Esqr Justices
Robert Fletcher Esqr Clerk
Matthew Patten Esqr Judge of Probate
Jonathan Blanchard Esqr Rigester
Nahum Baldwin Esqr Treasurer for ye County
Moses Kelly Esqr Sheriff

Inferior Court for the County of Cheshire

The Honble Samuel Ashley, Benj^{a} Bellows, Samuel Chase, Benj^{a} Giles } Esq^{rs} Justices
Enoch Hale Esqr Sheriff
Thomas Sparhawk Esq Judge of Probate

Ichabod Fisher Esq[r] Register
Thomas Sparhawk Esq[r] County Treasurer
Benjamin Bellows Esq[r] Recorder of Deeds

Inferior Court for the County of Grafton.

The Hon[ble] John Hurd Esq[r] Bezaleel Woodard Esq[r]
Elisha Pain Esq[r] Samuel Emerson Esq[r] Justices
Israel Morey Esq[r] Judge of Probate
Elisha Pain Esq[r] Register of Probate
Jotham Cummings Esq[r] Sheriff
John Hurd Esq[r] Register of Deeds

Justices of the Peace Throughout the State

The Hon[ble] The Members of Council & Judges of the Superior Court & Wisemen Clagget Esquires

Justices of the Peace for the County of Rockingham

Hunkin Wentworth Samuel Penhallow, William Weeks, Richard Downing, Benjamin Rowe, and Philips White Esq[rs] John Dudley, David Gilman, Noah Emery, William Parker Jun[r], Samuel Dudley, Richard Bartlett, Samuel Emerson, Nathan Bachelder, Josiah Gage, Timothy Walker Jun[r], Jeremiah Clough, Archelaus Moore, Samuel Moore, Robert Wilson, Ebenezer Stevens, Samuel Little, John M[c]Clary, Nicholas White, Joseph Welch, Timothy Ladd, James Betten, Benjamin Butler, David Lawrance, William Moore, John Webster, John Leavitt, Samuel Hale, Woodbury Langdon, Mark Wiggin, Josiah Adams, Samuel Philbrick Geo Gains

Justices of the Peace for the County of Strafford

Ichabod Rawlings, Ebenezer Smith, Daniel Beede, Joseph Senter, Thomas Persons, Joseph Sias, Solomon Emerson, Simeon Deerborn, John Wentworth Jun[r], Valentine Mathes, William Chamberlin, Hercules Mooney, John Tasker, John Garland, Stephen Evans, Otis Baker, John Plummer, George Ffrost Moses Carr Hercules Mooney Esq[rs]

Justices of the Peace for the County of Hillsborough —

Matthew Patten, Jonathan Lovewell, Jeremiah Page, Timothy Farrer, Henery Gerish, Moses Nickols, James Underwood, Isaac Andrews, Joseph Bean, George Jackman, Joshua Bayley, Francis Blood

Justices of the Peace for the County of Cheshire

Benjamin Bellows, Samuel Chace, Benjamin Giles, Francis Smith, William Haywood, Thomas Putnam, Nathaniel S. Prentice, Isaac Wyman, Calvin Frink, Ephraim Baldwin, Heber Millar, Obediah Wilcox, Joseph Greenwood, Lake, P

Justices of the Peace for the County of Grafton

Israel Morey, Bezaleel Woodward, Daniel Brainard John Wheatley, Joseph Peverley, Timothy Bedel, Samuel Emerson, & Charles Johnson

Barristers at Law Samuel Livermore Esqr William Parker Junr Esqr John Pickering Esqr Jonathan Mitchell Sewall Esqr John Wentworth Junr Esqr Oliver Whipple Esqr

practiseing Attorneys — Joshua Atherton Esqr Eben^{r} Champney James Underwood Junr

[6–81] [*Naval Office Table of Fees*, 1776.]

Naval office Newhampshire September 1776

For Entering every Ship or Vessel from Massachusetts coast ways —	0,,	3,,	0
For clearing to Ditto —	0,,	3,,	0
For Entering from any other of the American states	0,,	6,,	0
For clearing to Ditto —	0,,	6,,	0
For Entering Every Ship or Vessel from a foreign Voyage —	0,,	12,,	0
For clearing to Ditto —	0,,	12,,	0
For Every Register —	0,,	12,,	0
For Recording every Register —	0,,	2,,	0
For endorsing every Register —	0,,	2,,	0
For every Bond —	0,,	2,,	0
For a bill of health —	0,,	3,,	0
For a coket —	0,,	2,,	0
For a permit to Unload —	0,,	1,,	0
For every pass for the Forts —	0,,	2,,	0

[6–81] [*Lead Mine Discovered*, 1776.]

The Board having Information from Deacon Knowles that a certain Mr Jon^a^ Door of Lebanon in the province of Main has found out and is knowing to a good Lead Mine in some part of the neighbouring unsettled Lands, & that said Door is willing to make Discovery thereof, for a reasonable Reward, & the public Benefit recommend to the Honble House, that some trusty person be nominated as a Committee with Deacon Knowles to call upon Mr Door and desire he would shew them to the said Mine, to bring away some part of the Ore for Tryal, & if it should prove good, to engage upon the honor of this Genl Assembly, that he shall be well satisfyd for his Trouble & the Discovery —

In Council Sept 20th 1776 —

[6–82]

[Joseph Gilman's bond for £4,000, as treasurer of Rockingham county, dated November 14, 1776. Bondsmen, Nathaniel Folsom and John Dudley. — Ed.]

[6–83] [*Chief Justice Weare's Certificate*, 1776.]

Exeter Novem^r^ 29th 1776.

This certifies that John Ayer of Pembroke complained to Wyseman Clagett Esqr against one James Ryan for passing Money Emitted by this state Altered to higher Sums than Originally made And Said Ayer appeared careful & very Industrious in prosecuting said Affair for the publick Good. In Consequence of which Comp^t^ Said Ryan was Apprehended, & convicted before the Superior Court of the Fact M Weare Chief Justice of s^d^ Court

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[6–84] [*Act regulating Election of County Officers.*]

In the Year of our Lord one Thousand Seven hundred & Seventy Six —

State of New Hampshire —

Seal An Act for regulating the Choice of County Treasurers and Recorders of Deeds in the several Counties in said State

Whereas in the Form of Government established by the late Congress it is directed that the Council & Assembly should ascertain the

Manner of choosing County Treasurers & Recorders of Deeds for the several Counties in said State by the People of Each County respectively.

Be it Therefore Enacted by the Council & Assembly and by the Authority of the Same, That at the Annual Meeting of each Town and Parish in the respective Counties (if in the Month of March) or at some other Meeting to be appointed for said Purpose, to be held in the Month of March, Each Voter shall bring in one Vote for a County Treasurer & one Vote for a Recorder of Deeds, for their respective Counties, and that the Votes for a County Treasurer be sealed up in one Paper, and the Votes for a Recorder of Deeds in another, and certified thereon, which are Votes for a Treasurer, & which for a Recorder, by the Town or Parish Clerk, who shall return said Vote so sealed up & certified, to the Clerk of the Court of General Sessions of the Peace to be holden next after the said Month of March within and for such County — which votes shall be sorted by a Committee to be appointed by said Court who shall make known to said Court what Person has the highest number of Votes for each of said offices, and such Person shall by the said Court be declared to be chosen to said offices respectively & be entered in the Clerk's Book accordingly. And in Case there is an equal number of Votes for any Persons who have the highest number, the Choice shall be determined by the Votes of the Major Part of the Justices of said Court present

And be it further Enacted by the Authority aforesaid that in Case of Refusal, Death or other Incapacity of any such Officer, the said Court shall issue a Precept to the Selectmen of each Town & Parish in such County requiring them to call a Meeting (according to law) of their Town or Parish respectively to chuse another in the manner before directed

And that the said Court shall appoint a Committee which in Case of Death or other incapacity of any such Officer shall receive into safe keeping all Records & Papers belonging to the said Office so vacant, which Committee shall be under Oath for the faithful Performance of said Trust —

And be it further Enacted by the Authority aforesaid that all such Recorders of Deeds before they be Qualified for said Office shall give bond to the Speaker of the house of Representatives for the time being (for the use of this State) with two sufficient Sureties in the Sum of Two Thousand Pounds — for the faithful Performance of said Trust — And that all such County Treasurers before they enter upon the Duty of said Office shall give bond with two sufficient Sureties to the Clerk of the Court of General Sessions of the Peace for such

County in the Sum of Two Thousand Pounds — (for the Use of such County) for the faithful discharge of said Trust —

And be it further Enacted by the Authority aforesaid That all Persons who now hold such Offices shall hold & execute the same until such further Choice be made & declared pursuant to this Act —

In the House of Representatives Decr 11th 1776 —

The foregoing bill being read a third time, Voted that the Same Pass to be Enacted — Saml Cutts Speak^{r} pro Tempe

In Council December 13th 1776 This Bill was Read a Third Time, and Voted that the same be Enacted M Weare President

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[6–85]

[Report of "Committee of both Houses appointed to Consider of a Method for making a New proportion, to be a guide for paying Taxes in this State," 1777. — Ed.]

[6–86] [*Protest of Benjamin Giles and Others*, 1777.]

State of New Hampshire To the Honorable Council and House of Representatives now Convened at Exeter

Humbly Sheweth that We your Petitioners (Real friends and well wishers to the peace and Unity of the United States of America, and to this State in particular) are under fearfull apprehensions that a Vote passed Yesterday by the Honorable House of Representatives, will be, we fear attended with far Worse consequences than a former in the opinion of the disaffected party of Grafton County hasty Measure adopted by a late Assembly which is recent in the minds of your Hon^{rs}, for in the present critical situation of affairs when a Strong Jealousy Possesses the minds of all with respect to right Liberty and freedom, Wee your Petitioners are humbly of Opinion, that to endeavor to subject near one half of this State not only into a Complyance with the main body of the former Laws but also into a Complyance with the detested practice of carrying the same into Execution, will we fear irritate the minds of a great part of the (present Peaceable) inhabitants of this State it being a Yoke which neither we nor our Fathers were able to bear, — And also your Petitioners are Humbly of opinion that if the former Laws of this State and the manner of executing the same, were in every View Just and most consistant

with the rights and Priviledges of the People (tho the contrary is evident) that in such a day it would not be prudent to force a Complyance by a bear Majority in the House, and more especially when the Evil proposed to be remedied may as well be prevented in a way agreeable to the whole — and further for the Satisfaction of all, and to remove every ground of Suspicion Your Petitioners earnestly desire such Laws may be adopted and such Enacted as may be for the peace and Safety of the Community, Establishing every Individuals right and property, and that we abhor the most distant thought of a State of Anarchy but as the Execution of Law heretofore has been so oppressive to the subject wee now dread the consequence, and pray that before Law fully takes place a more just Righteous and less burdensome way of conducting tryals at Law be adopted, and if otherwise, Some of your Petitioners at least, according to the instructions of their Constituents do hereby Enter their protest against the afores^{d} Vote if Concur'd by the Honorable Council, having this Aspect we fear and dread Viz: a greater disunion then there is at present; hoping this honest and plain representation will be considered as it is in truth (not from an Esteem of popularity or being thought Singular or Overbearing) but in the integrity of our hearts dreading the Consequences &c Submitting these hints to your Hon^{rs} Superior Wisdom for Consideration, and direction in the present Case, and hoping some happy Expedient may be the Consequence, &c

Your Petit^{rs} as in duty bound shall Ever Pray

Exeter April 9th 1777 Benjn Giles in behalf of his Contituents

Francis Worcester	Wm Shattuck	Caleb Duston
Daniel Brainerd	Dav^{d} Taylor	Asa Davis
Obadiah Willcox	Christopher webber	James Gibson
John Putney	Stephen Ames	Francis Blood

[See Vol. VIII., p. 538.]

[6–88] [*Petition of Thomas Casey*, 1777.]

The Petition of Thomas Casey

Humbly Sheweth that your Peti^{r} & Wife tooke Passage on board the Brig^{t} Susanna from London bound to Halifax (in order to recover his Property their) but on his Passage to S^{d} place was Taken by the Privateer McClary & brought into Portsmouth in this State. Now your Peti^{r} has an Opportunity to go in a Small Vessell belonging to Capt Pursue that bro't a Number of Prisoners that ran away from

Halifax, & belonging to this & the neighbouring States, therefore humbly begs sufferance to go in s^d^ Vessell — the peculiar Situation of my Wife would render our longer tarry Here truly miserable — Your Peti^r^ therefore begs your Honours will Indulge him in the above request, and as in duty bound will ever Pray

Portsmouth Decr 8, 1777 Thomas Casey

[6–89] [*Petition of James Richardson of Dover*, 1778.]

To the Honb^l^ the Committee of Safety for the State of New Hampshire, Sitting at Exeter

The Petition of James Richardson of Dover in the County of Strafford and State afores^d^ — Esqr — Humbly Shews —

That at the Superior Court held at Said Dover in November Last by Adjournment your Petitioner was Sentenced to Suffer Four Months Imprisonment, and to pay a Fine of Three Hundred and Fifty Pounds, Lawful Money for the Use of this State, and to pay costs of prosecution and Stand committed untill Sentence of Said Court should be Complyed with —

That the Term of Four Months above mentioned is elapsed, and he is now held for the Fine and Costs only and that every Attempt to Collect a part of his Debts, Sufficient to Defray Said Fine and Costs has hitherto proved fruitless whereby your Petitioner is greatly Disappointed and much mortified, he having been at considerable Expence in Employing persons for that purpose

That he has the best Encouragement could he attend the Business in Person of getting a Sum Sufficient for the above purpose, having Dealt Largely with Persons in the Western parts of this State, who are unwilling to advance Money before the Accompts between him and them be adjusted and as your Petitioner conceives that the State would be Benifited by Said Sum being soon paid, he therefore prays your Honours, to Release him from his Confinement for Such a Term as you Shall think proper to Enable him to Satisfy the Judgment of Said Court — your Petitioner being Ready to give such Caution as your Honours Deem fit for the Payment of Said Fine and Costs or in Default thereof for his Return to Prison at the end of Said Term And as in Duty bound he will ever pray &c

Dover March 18th 1778 James Richardson

[6–90] [*Business Letter to Joshua Wentworth.*]

Boston April 2d 1778

Joshua Wentworth Esqr

Sir Mr Edmund Roberts leaving with us two Barrels Green Tea to be disposed off at eight Dollars a Bottle — we have tryed all in our power but cannot obtain it — Teas being very plenty here at present — if we could not procure 8 Dollars a Bottle — Mr Roberts desired us to ship the same to you at portsmouth — as Vessells from your place may Arrive here & go away again without our knownig it —shall therefore be glad you would give an Order to some Coaster coming this way & we will deliver the same —

We are Sir Yr, most humble Servts

Bowdoin & Read

[6–91] [*Petition from Town of Westmoreland,* 1778.]

To the Honourable Counsel and General Assembly for the State of New Hampshire

The Petition of the Town of Westmorland humbly sheweth that the Select Men of the Town of Westmorland aforesaid for the Year Anno Domini 1775 did not by Reason of the unsettled state of Government give to the Constable of said Westmorland a Good and Legal Warrant to Collect and gather the Rates or Taxes that Ware Committed to him to Collect and some of the Inhabitace of said Town Refuseing or Neglecting to pay their taxes : by which means the Towns Debts are not wholly paid and Discharged which is a Damage to the Town. the Town therefore pray that the Honourable Court would make an Act or Law to Authorize the Town to impower some Person to Collect the rates or taxes of those Inhabitance who have and Still do neglect or Refuse to pay them or otheways act thereon as the Honourable Court in their Wisdom shall think proper —

Westmorland May 16 : 1778

Joseph Burt } Select
Ephraim Stone } Men
in Behalf of Westmorland

[6–92] [*Petition for Liberty to Choose a Minister.*]

To the Honorable the Councell & House of Representatives of the State of New–Hampshire in General Assembly convened at Exeter, your Petitioners humbly shew &c

Whereas we the subscribers, have for many Years past, been Parishioners under the late Revd David McGregor by Virtue of an Agreement between the first & second Parishes of Londonderry, which was afterwards enacted into a Law, as may more fully appear —We your Petitioners, humbly pray that the benefit of s^{d} Act, may yet extend to us so long as the present Minister of the first Parish survives ; as he never was our Choice, we cannot accept of him as our Minister for several Reasons; therefore we pray that Liberty may be granted us to hire a Gospel – Minister equal to our proportion of Tax ; from time to time, as may best suit your Petitioners, or otherwise go where we can be most edify'd, and pay there, till circumstances alter, and Your Petitioners humbly conceive that the present is not a convenient time for establishing Parish Lines — We submit the Matter to your Honors, and as in duty bound shall ever pray —

Londonderry May 19th 1778.

John Wallace	Jonathan Adams	David Paul
John Gregg	Robt Smith	John Taylor
Samuel Gregg	William Alexander	James Taylor
James Adams	Robert McFarland	John Taylor Junr
Robert Morison	John m^{c}keen	William Taylor
James Miltimore	John m^{c}keen Juner	John Taylor
Robert MacMurphy	William m^{c}keen	David Taylor
Robert Archibald	Joshua Lankester	John Karr
John Nesmith	Adam Taylor	Robert Wallace
Matthew Clark	Samuel Tyler	Robert m^{c}keen
Jonathan Gillmor	James Paul	

[6–03]

[Another exactly like the foregoing and signed by the following :—]

James Dinsmoor	James Clark	Margret Nesmith
James MacKeen	Jonathan Wallace	Benjamen Nesmith
David MacKeen	Wm MacMurphy	George Clark
John Hunter	Mary Reid	William Gregg
Daniel Hunter	James Willson	George Gragg
John Gunyan	William Miltimor	John Hopkins
James Adams Junr	Samuel Marsh	Robt Hopkins
Robt Adams	John Hopkens	Joseph Gregg

[6–94] [*Minutes of Council*, 1778.]

Minutes of Council May 20th 1778 —

not members enough to make a Quorum —

Thursday May 21st not Members Enough to make a Quorum —

Friday May 22d 1778 Vote for the Board of War to recieve £15000 to be Accounted for bro't up read & Cond — order md out —

Vote on the petition of Moses Hills who prays for a Divorce from his Wife — that he be heard thereon the 2d Wednesy of next session bro't up read & Cond

Vote to hear the Petition of Jno Gage on the first Friday of next session bro't up read & concurd

Vote for a Come to consider of the petition of Reuben Welman bro't up read and Cond & Mr King & Mr Wentworth added

Vote for a Come to consider of the petition of Danl pierce bro't up read & Cond & Mr Walker & Mr Blanchard Added —

Vote for a Comme to consider of Jno Robbe's Acct bro't up read & Concur'd & Mr Wentworth & Mr Blanchd Added

Vote for a Come to consider of Damage done houses used as Barracks at New Castle &c bro't up read and Cond & Mr King Added

Vote for the Board of War to load Waggons back from the army with Flour bro't up rd and Concur'd —

Vote on the petition of Rachel French & Enoch Noyes giving leave to them bring in a Bill bro't up read & Cond

Vote to pay the Roll of Capt Danl Shattuck amounting to £49–5–9 bro't up rd & Cond order made out —

Vote to pay the Acct of Anne Runnels amounting to £14–6– bro't up rd & Cond ordr made out

Vote appointing Noah Emery Jnr Commissary to the State brt up rd & Cond —

Vote directing Amos Dakin to pay into the Treaser 38 Dollars for Rent of Saml Tarbells Estate in Mason bro't up read & Cond

Vote for Majr Gains and Capt Blunt to take care of Masts belonging to the State bro't up rd & Cond

Vote for a Committee to settle with Capt Janverin for the Income of his Island used by the State bro't up rd & cond

Vote adding Jona M Sewall to ye Committe to prepare a Bill for Confiscating Tories Estates bro't up rd & Cond —

Vote for a Come to draw a Bill to confiscate estates bro't up rd and Cond & Mr Thomson & Mr pickering Added

Vote for the Chief Justice of the Supr Court to receive out of the Treasy £60 — the puisne Judge £50 Each & the Clerk £60 to be

Severally Acc^{d} for bro't up read & Concur^{d} & orders Made out for the whole —

Saturday May 23^{d} 1778 —

Vote appointing a Com. to consider of the petition of Londonderry bro't up read and Concur'd —

Vote to pay the Roll of Capt Levi Durant Amounting to £31,, 16–8. bro't up read and Concur'd & order made out

Vote to hear the Petition of Barton pollard on 2^{d} Thursday of next Session bro't up r^{d} & Con^{d}

Vote to hear the Petition of James Bell on the 2^{d} Wednesday of next session bro't up r^{d} & conc^{d} —

Vote appointing a Com^{e} of Safety bro't up r^{d} & Con^{d} —

Vote for pay of the 2 houses bro't up r^{d} & Con^{d} —

Vote to pay Jerem^{h} Dow £3–5 for a Journey to Merrimac bro't up read and Con^{d} — order made out

Vote to pay the Acc^{t} of Sam^{ll} Snell for taking care of a Sick soldier Amounting to £19–4– bro't up r^{d} & Con^{d} order made out —

Vote determining that one John Robbe a Soldier wounded at Benning^{n} was intit^{d} to ½ pay and for a Grant of £30 to be made him includ^{g} what he has r^{d} bro't up r^{d} & Con^{d} — order made out —

Vote to pay the Balance of the Acc^{t} of Mr John Smith for assisting in drawing out the Continental Acc^{t} amounting to £59,, 14–0 bro't up r^{d} and Con^{d} order made out

Vote for Noah Emery Esqr to recieve out of the Treas^{y} £20 to be accounted for bro't up r^{d} and Con^{d} — order made out

Vote to pay the Acc^{t} of Minos Daniels door keeper of the Assembly £2–0–0 bro't up read and Con^{d} — order made out

Vote directing John Parker Esqr Sheriff of the County of Rock^{m} to deliver the Estate of Co^{l} Stephen Holland to the care & possession of the Selectmen of Londonderry

An Act to Repeal an Act for prohibiting Vendues read three Times & voted that the same be Enacted —

An Act in Addition to the several Acts for Establish^{g} An Equitable Method of Making Rates of Taxes read three times & Voted that the Same be Enacted —

Vote appointing John Taylor Gilman Receiv^{r} of Taxes &^{c} bro't up r^{d} & Con^{d}

Vote determining that Lie^{t} Danl McMurphy of Capt Elliots Comp^{ny} Col^{l} Hobarts Reg^{t} in G Starks Brig^{e} who was wounded in the Battle of Benning^{n} comes clearly under the Resolve of Congress &^{c} — to recieve ½ pay bro't up read and con^{d} —

Vote Adj the G Assembly to the 2d Wednesy in Augt next bro't up rd & Cond

M Weare IIII	Mr Ashley IIII
Mr King IIII	Mr Wentwh II
Mr Walker IIII	Mr Blanchd II
Mr Thompson IIII	Mr Patten I

[6–95] [*Petition of Joseph Davenport, Agent*, 1778.]

State of New Hampr} To the honble Committee of Safety for said State —

Humbly Sheweth Joseph Davenport Agent for the Grantees of the Township of Lyncoln in ye County of Grafton and State aforesd That the said Grantees on the 31st day of January 1764 at very considerable charge obtained from the former Governor Benning Wentworth a Grant of the lands within the limits of said Township upon the Conditions and Reservations in the same Grant specified. — That afterwards about the Year A D 1769 the late Governor John Wentworth without any Notice to the Grantees of sd Lyncoln, without Judgment of Law, or formality of Trial, pretending the former Grant of said Lands was forfeited, regranted the same with other lands adjoining by the Name of Morristown to persons not named in the first Grant. — who claiming Title thereto in consequence of said regrant have entered and made some Settlements thereon and seem determined to hold said lands from the first Grantees. By means whereof much Uneasiness and Dispute have arisen between the first and second Grantees to the great hindrance of the Settlement of sd lands, to the Injury of the first Grantees, and Disturbance of the public Peace. Which unhappy Dispute Considering the present unsettled State of legal Proceedings in the County of Grafton aforesd will probably be of long duration, and the said first Grantees deprived of their just Right; unless your honors by Virtue of the Authority Vested in you in Consequence of a late Vote of the General Assembly of this State speedily interpose — Wherefore Your Petitr prays that this matter so interesting to said first Grantees and important to the public, may be taken into your serious Consideration, and that you would direct to such mode of Proceedings as may effectually restore them to their former Possession of said lands & enable them to enjoy the same agreeable to the Design of the original grant without further Interruption And your Petitr as in Duty bound will ever pray &c

July 10th 1778 Joseph Davenport

[6–96]

[Committees of the House at August session 1778. — Ed.]

[6–97]

[Vote of the inhabitants of Kingston, recommending Major Samuel Philbrick for appointment as Justice of the Peace, August 31, 1778. — Ed.]

[6–98] [*Letter from J. Fisher to His Wife.*]

New York 13th Octor 1778

My dear Love

I was preparing to have come to you, my dear Children Parents and Friends in obedience to your and their kind wishes and to gratify my own most earnest Inclinations. But I unhappily find myself under the necessity of returning to England where the very ill State of my Brother's Health and the critical Situation of his Affairs which you know are of the last consequence to me require my immediate Presence and Attention. I am unable however to bear in my present Health and Spirits the Idea of another Separation from all I hold dear how short soever it may be; I therefore must entreat you will not lose a Moments time in coming to me with such of my dear Children as you think proper and our good parents think most adviseable. On this occasion you will consult your own Feelings and Happiness — the Comfort and Consolation of our Parents during our Absence which I trust will not be long, and the welfare, Education, and Age of our dear Children. I shall consent to and be happy in whatever will make you so, and I therefore leave the whole arrangement to you, our indulgent Parents and kind Friends. — with respect to the Furniture you will do as you think best, only you will remember that we shall want Beds on our Passage, which you will put on board the Flag, with what other things you may think proper, useful, and save us Expence during our Stay in England. It is of absolute Necessity also, that you bring with you our two Servants, Esther and John Haley, without whom you and the Children cannot do on your Passage and it is impracticable to get any Person here; whether you will bring them with you to New London, or send them by the Flag, tho' I should think the former preferable, must be left to our friends Judgements. I imagine however, that you had better bring with you

or rather send before you to New London to the Care of Nathaniel Shaw Esqr, a Waggon with our Cloaths linnen &^{c} under the Charge of Michael, or John Haley, but all this I must leave to better Judges of Convenience, our Friends, on whom my own sincere Regard and Esteem leads me to depend that they will give you every kind Aid and assistance for your Expedition and Accommodation. For I must urge you in the strongest manner to make all possible Dispatch, as the Season of the Year is already so far advanced, and I fear losing a very safe and commodious Conveyance. I propose therefore meeting you at New London the last Day of this Month, by which time at farthest I hope you will be able to arrive there. This is a most severe and trying disappointment to me who depended so much on embracing my loved Parents and Friends, and again renewing those happy Hours with them which my Heart is so much bent on enjoying, and which a tedious absence had so long deprived me of. — I I have sent by Mr Hale a few things for my poor little ones — I have also sent to my good Father and Mother a few Articles that I thought might be acceptable to them and my Friends. I beg my best Respects to all those whose Friendship and Regards will be ever dear to me. — My most grateful Duty to our Parents to whose tenderness and Indulgence I owe so much and for whom I feel on this occasion more than I can Express. Embrace for me my dear Children Adieu my dear Love. God bless, keep, and direct you.

I am ever, your truly affect^{e} faithful Husband

J Fisher

[6–99] [*Petition from Londonderry*, 1778.]

To the Honorable the Council, and House of Representatives of the State of New-Hampshire convened at Exeter, this Petition humbly sheweth &c.

— Whereas, the Town of Londonderry was formerly divided into two Parishes, we the Subscribers living on the Westerly side of the present line, on Account of local Circumstances, find it inconvenient to continue in the West – Parish; and therefore humbly pray that we may be annexed to the Easterly Parish — And your Petitioners as in Duty bound shall ever pray &c.

Londonderry 31st October 1778

Nathaniel Aiken	Andrew todd
James Aiken	John Bell
James Ewins	Jonathan Reed
James Ewins Junr	John Aiken

[6–100] [*Vote of the Town on the Foregoing.*]

Londonderry Novr ye 2^{d} — 1778

Gentlemen of the Council and House of Representatives by these few lines we would let you know that we Rec^{d} your Citation to appear and Shew Cause if any we had why the Prayer of a Petition of a Number of the Inhabitants of this Town Now in Court Should or Should not be Granted and we haveing Laid the matter before our Constituents in a Legal Town meeting Partly for that Purpose Called and held it was voted unanimously that the Same be Carried into final Execution Saving only that it is humbly Conceived that the Division line between the two Parishes in this town which was made on a Certain occaision will not a Present answer well which we humbly Submit to your hon^{rs} wisdom —

and we remain your Hon^{rs} Humble Servants —

By order of the Selectmen

James Nesmith Ju^{r} Select Clerk

[6–101] [*Eben Hazard to the House of Representatives.*]

Portsmouth Decr 21st 1778

Gentlemen, Agreeable to my Promise made the Committee of the House respecting the Establishment of a Post Office at Exeter, I have conversed with Mr Noble upon the Subject, and find it will not be in my Power at present to comply with the Wishes of the Honorable House. Newbury Ferry, at this Time of Year, so often delays the Rider, that it is with Difficulty he can arrive here in Season for the Eastern Post, and, should he ride through Exeter, the Difficulty would be much encreased, if a seasonable Arrival would not be rendered impracticable thereby. For these Reasons, Gentlemen, it will be out of my Power to do any Thing respecting this Matter, notwithstanding my ardent Desire to gratify the House in their reasonable Request.

Some Gentlemen of the Committee hinted at the Expediency, if not Necessity, of a Post from Portsmouth to the interior parts of the State, for the Purpose of circulating the Laws, and Intelligence with Regularity and Exactness ; which they apprehended would be very beneficial to the Towns which lie at a Distance from the Continental Post Road, and advantageous to the State in general. Should your Honors think fit to adopt such a Plan, it will give me particular Pleasure to contribute any Assistance in my Power towards forming and completing it in such a Manner that the Rider to Portsmouth may

correspond exactly with the Continental Post, and the Riders through the interior Parts of the Country with each other, which will prevent Confusion and Delays. — And, as soon as the Emoluments of the General Post Office are sufficient to defray the Expences I will recommend it to Congress to take that Road also under their Charge, whereby it will become a Continental, instead of a State Expence. —

I am, Gentlemen,

Your most obedient & very humˡ Servᵗ

Eben Hazard

[See Vol. VIII., p. 815. — Ed.]

[6–102] [*Certificate from Selectmen of Boothbay, Mass.*]

To all whom it may concern

This may certify that the bearers hereof Messʳˢ Samuel Brown & John Murray have for many years been inhabitants of this town; reputed men of integrity; and approved friends of the liberties of America, and being now bound to the westward on the business of procuring bread-corn to supply the distressed inhabitants of this town at the present season of extremity, are hereby recommended to the countenance & protection of Government & to the encouragment of all friends of their Country especially in whatever may be necessary to promote the design of their journey, the failure whereof would greatly aggravate the distresses of many poor families in this place: Given at Booth bay the 30ᵗʰ of December 1778 by

Wᵐ McCobb } Selectmen of
Edwᵈ Emerson } said town

Jⁿᵒ Murray } Pastor of the Church there

[6–103]

[*Petition from Murray and Brown of Boothbay, Mass.*, 1779.]

To the Honorall the Council & Honorˡ the house of Assembly of the state of New Hampshir: The Petition of Samuel Brown & John Murray Humbly sheweth

That your Petitioners are inhabetents of Boothbey in the County of Lincoln & state of Massachusetts bay that Severity of the drought in Summer lasᵗ has Cut off the Crops in Said Town to so Great a de-

gree as has reduced the inhabetents thro the Present winter hopeless unless Sum supplies of bread Corn Can be Purchase[d] in these Parts and Conveid to them

That for this Purpose your petitioners at the Earnes[t] entreaty of theer Neighbors have made a tedious & difficult jorney to this place at an inclement season and Driven by land a Number of live Stock wherewith to procure the Supply They Expected: that haveing by this means purchased a Small quantity of Corn They were about to Convey it by water to the said place of their abode — but are alarmed by Credible information that all Exportation of that Necessary Article is Prohibited by a law of this state: that Should Such a law operate to the Frustrating the desingn of this jorny it would be attende[d] with distressfull & runious Effects to your petitioners & many Famelys in said Town who under divine Providence have No other hope of Supply for this winter —

That your Petitioners trusting they Can produce sufficient testimonials of their being in pursuit of No Fraudelent or unworthy purpose: and Confiding in the justice and Generosity of this Honorall Court have therefore adventur[d] to lay themselves at the feet of your Honors praying that you would be Pleased to Take their Case into your wise Consideration and Grant them a permision to Export to Boothbay the quantity of Corn they have procured and your Petitioners as in Duty bound shall Ever Pray &c

Exeter January 1779

Samuel Browne
John Murray

[6–104] [*Petition of Jonathan Ingersoll, of Salem, Mass.*]

To The Honerable Committee of the State of New Hampshire —

The Petition of Jonathan Ingersoll of the State of Massachusetts Bay — prayeth leave to Acquaint your Hon[rs] that Sum time in Janu[y] last he Contracted with m[r] Noble in Portsmouth for three sets of mast and yards for three Privateers s[d] Ingersoll had Building, in Salem at that time, which s[d] Ingersoll, prays that he may have leave to Carrey them to Salem, as he hath brought a Sloop for that purpos, so that he may be able to send the s[d] Privateers on A Cruze —

As in duty Bound shall ever pray

Jon[a] Ingersoll

Portsmouth March 4[th] 1779

[6–105] [*Petition for Roads*, 1779.]

State of New Hampshire } To the Honble Council & House of Representatives in General Assembly convened

The Petition of the Subscribers Inhabitants of Gilmanton Moultonborough, Conway, Wolfborough, Meridith, Sandwich & other Towns & Places adjacent, Humbly shews, that your Petitioners, ever since, their first Settlements, in this Quarter of the State, have not only been at the Cost & Expence of making Roads through the Towns they respectively belong to, but in carrying on their Business to the Metropolis of this State, have been exposed to the Hardships & Fatigues, of travelling, through Woods & unsettled Lands, belonging to the Proprietors claiming under John Tufton Mason, Esqr without any Roads properly laid out or in anywise made sufficient for Transportation or Travelling, & even most of the Cost which has been laid out, has been done by many of your Petitioners as their Circumstances were most pressing to use it, & what greatly adds to the Difficulty of not having good Roads, is the pressing Necessity of transporting Provisions from this to other parts of the State for the Support of its Inhabitants in this difficult Time of War — The Proprietors of said Land are many of them residing without the united States & those resident therein, refuse & neglect to make good & sufficient Roads through their aforesaid Land — Wherefore your Petitioners humbly pray your Honble Court to apoint a Committee to lay out a Waggon Road from New Durham to Winnepisseoke Pond at Merrymeeting where Lieu^t^ Charles Rogers now lives, thence from said Roger's to Wolfborough, & also another Road from said Rogers to Gilmanton, & that your Honble Court would order, that the said Roads be laid out bridged & made sufficient for Transportation with Waggons at the Cost of the Owners of the Land through which said Roads be laid, in Manner & Form as your Honours see fit & your Petitioners in Duty bound shall ever pray. —

March 18th 1779 —

Moses Ames	Moses Day	Robt Harrold
Samuel Walker	Ebenezer Day	John Dolloff
Samll Osgood	Hezekiah astin	Barns Hezeltine
Joseph Walker	Henry Gorden	James Osgood
John Chandlr	William Steel	Jedidiah Spring
Job Eastman	Daniel Farington	Jeremiah Page
Nathan Ames	Abraham Russell	John Osgood
David Evans	And^w^ M^c^millan	Hugh Sterling
Joseph Frye	Thos Merrill	Nathaniel Smith

Nath[l] Merrill	Joseph Emery	Benjamin osgood
Isaac Walker	William Merrill	David Page
Ezra Carter	Richard Eastman	Henry Lovejoy
Richard Kimball	Thomas Chadbourn	Sam[ll] Walker
Ezekiel Walker	John Pendexter	Stephen Farington
Benj[a] Russell	Ebenezer Burbank	John Stevens
John Farington	Joshua Heath	Joseph Walker
William Wiley	Enoch Webster	John Bucknal
Stephen Knight	Abiel Lovejoy	

State of
New Hamp[r] } In the House of Representatives March 15[th] 1779 —

Upon reading and considering the foregoing Petition —

Voted. That the Petitioners be heard thereon on the first Thursday of the next Session of the General Assembly, and that in the mean time the Petitioners cause the substance of the Petition & order thereon to be published in the Portsmouth News paper three weeks successively, That any person may then appear & shew cause if any they have why the prayer thereof may not be granted.

Sent up for Concurrence —

John Dudley — Speak[r] ℘ tem —

In Council the same day read and Concurred

E Thompson S[cy]

List of sundry Names to several other Petitions of the same Tenor & date of the foregoing —

John Sinclair	Sam[l] Tibbits Jun[r]	Sam[l] Kelley
Thomas Lucus	Moses Wingate	W[m] Eastman
William Lucus	Joseph Kinnison	Bradbury Jewell
James Conner	Jon[a] Lary	Jonathan Megoon
James Lucus	Joseph Leavitt	John Sanderson
Sam[l] Tibbits	William Rogers	Nath[l] Shannon
Math[w] Stanly Parker	Moses Ham	Sam[l] Meloon
Eben[r] Medar	Benj[a] Blake	Stephen Adams
Reuben Libby	Jon[a] Moulton	Enoch Blake
Robert Estes	Eben[r] Chamberlin	Amos Sandborn
Joseph Larvey	Cornelius Cooke	Sandborn Chandler
Ithiel Clifford	James Jackson	Peter Garland
Sam[l] Clifford	John Dudley	John Wallis
Jon[a] Lucey	Israel Glines	John Fowler
John Lucker	Joseph Richardson	Jon[a] Moulton Jun[r]

John Fullerton	Wm Plaisted	Amos Whipple
Moses Sarney	Timothy Medar	James Brown
Thomas Piper	Abraham Prebble	Nathl Ambrose
Robert Calder	Nathl Burdeen	John Moulton
George Glin	John Moulton	

[This petition is repeated under date of March 13, 1780, with the following names attached:]

Jon^{a} Moulton	Edward Moulton	Ebenezer Smith
Saml Pierson	Matth^{w} Stan^{y} Parker	Jeremy Bryent
Jos. Moulton Junr	Simeon Dearborn	Jer^{h} Eames

[6–106]

[*Petition of the Heirs of John Griffith of Portsmouth*, 1779.]

State of New Hampshire } To the hon^{ble} Council & House of Representatives for said State in General Assembly convened at Exeter March A D 1779 —

Humbly shew John Griffith of Boston in the County of Suffolk and State of the Massachusetts Bay Gent. John Grant Mariner in behalf of his Son Nathaniel a Minor Saml Penhallow & William Knight Esq^{rs} Guardians for two of the Children of Samuel Griffith dec^{d}, Richard Champney Esqr & Elizabeth his wife, William Gunnison Cordwainer and Hannah his wife, Israel Oat and Sarah his wife, and John Grant Junr all of Portsmouth in the County of Rockingham and State of New-Hampshire, — Isaac Williams Trader and Sarah his wife, Sarah Griffith Widow, late wife of David Griffith dec^{d} in behalf of two of her Children Minors — Edmund Roberts Mariner and Sarah his wife and Gideon Lampson Taylor & Elizabth his wife all of Exeter in said County of Rockingham, That John Griffith late of Portsmouth aforesaid Esqr dec^{d} did in and by his last Will and Testament bearing date the second day of January A D 1775 (among other things) Give and Devise, unto his Son John Griffith one of your Petitioners, on sixth part of all the Testator's real Estate in Fee– unto John Grant Junr, Hannah Grant (now Hannah Gunnison) Sarah Grant (now Sarah Oat) and Nathaniel Grant, Grandchildren of the s^{d} Testator, one sixth part of said real Estate in fee — unto Elizabeth Griffith (now Elizabeth Lampson Abigail Griffith and Deborah Griffith, Children of the said Testator's Son Samuel Griffith deceas'd one sixth part of said real Estate in Fee — unto Elizabeth wife of the s^{d} Champney one sixth part of s^{d} real Estate in Fee — unto his (the

Testator's Son) David Griffith aforesaid one sixth part of said real Estate in Fee — And unto the s^{d} Testator's Daughter, Sarah, wife of the s^{d} Isaac Williams the other sixth part of said real Estate in Fee — The whole of which Estate consists of two old Houses & two small Lots of Land situate in Portsmouth aforesaid — As the said Houses without immediate Repairs, must soon become of very little — Value, and as the s^{d} Lots are small and cannot be divided without greatly damaging the whole y^{r} Petitioners conceive it would be most for the Interest of all the Devisees to have the said Houses and Lands sold by the Executors of said last Will for the Use of the said Devisees the Executors first giving Bond to the Judge of Probate &c — for the County of Rockingham to account for the Monies said Houses and Lands may be sold for. Wherefore, your Petitioners humbly pray that said Executors may by Act of the Legislature of this State be impower'd to sell the same houses and Lots of Land, (for the most they will fetch) for the benefit of the s^{d} Devisees upon said Executors giving Bond to account as afores^{d}, and your Petitioners as in Duty bound will ever pray &c —

John Griffith
John Grant Junr
Richd Champney
Elizabeth Champney
William Gunnison
Hannah Gunnison
John Grant
Sarah Oat
Sam^{ll} Penhallow } Guardians to two minors children of Samuel Griffeth Deceas'd
Wm Knight }
Isaac Williams
Sarah Williams
Gid Lamson
Elizabeth Lamson

State of New Hamp^{r} } In the House of Representatives March 12th 1779 —

Upon reading and considering the within Petition — Voted. & ordered that the Petitioners be heard thereon before the General Assembly on Tuesday next, & that in the mean time the Petitioners give due notice thereof to Sarah Griffith Widow and Administratrix of David Griffith deceased, and Sarah Roberts that they may then appear & shew Cause if any they have why the Prayer thereof may not be granted —

Sent up for concurrence — John Langdon Speaker
In Council the same day read and Concurred
E Thompson S^{cy}

State of
New Hamp^{r} } In the House of Representatives March 16th 1779 —

Voted. That the prayer of the foregoing Petition be granted, & that the Petitioners have leave to bring in a Bill accordingly —

Sent up for Concurrence —

John Dudley — Speaker pro tempore

In Council March 17th 1779 read and Concurred with Alteration that the whole of said premisses be sold at Vendue except the right of the heirs of David Griffeth deceased to one of said Lots — Viz that Lot laying on the highway leading from the pound to Pickerings mill so called — And that in said lot the right of said heirs be sett off to hold to them in Severalty in such a manner as to Accommodate a way to pass and repass from said highway to a lot adjoining said other Lot belonging to said heirs in a Separate right of their said Father — Sent down for concurrence

E Thompson Sec^{y}

State of
New Hamp^{r} } In the House of Representatives March 17th 1779 —

The within Amendment made by the hon^{ble} Council was read in the House and Concurred —

John Dudley Speak^{r} pro temp^{e}

[6–107]

[Protest of Benjamin Partridge, captain of schooner "Molly," against the action of Eleazer Russel, naval officer at Portsmouth, who refused to give Partridge a clearance and permit to sail for Boston, May 1, 1779. — Ed.]

[6–108] [*Petition of Sarah Wills, of Portsmouth.*]

To the Honble the Committee of Safety for the State of New Hampshire —

The Petition of Sarah Wills of Portsmouth Sheweth —

That your Petitioner being an Orphan & destitute of Friends or Relations that are able to maintain her here, or afford her sufficient help to provide a Maintenance for herself, is desirous of going to New York, where her Friends are & who have sent for her to come

to them — She therefore prays your Honours would grant her Leave to take Passage in the Flag now bound to New York & your Petitioner shall ever pray &c Sarah Wills

Portsmouth May 3d 1779

[6–109] [*Petition from Slaves*, 1779.]

State of New Hampshire

To The Honble the Council and House of Representatives of said State now siting at Exeter in and for Said State —

The Petition of Nero Brewster, Pharaoh Rogers, Romeo Rindge, Cato Newmarch Cesar Gerrish, Zebulon Gardner, Quam Sherburne, Samuel Wentworth, Will Clarkson, Jack Odiorne, Cipio Hubbard Seneca Hall, Peter Warner, Cato Warner, Pharaoh Shores Winsor Moffatt, Garrott Colton, Kittindge Tuckerman, Peter Frost & Prince Whipple, Natives of Africa, now forcably detained in Slavery in said State most humbly Sheweth, That the God of Nature, gave them, Life, and Freedom, upon the Terms of the most perfect Equality with other men ; That Freedom is an inherent Right of the human Species, not to be surrendered, but by Consent, for the Sake of social Life ; That private or publick Tyranny, and Slavery, are alike detestable to Minds, conscious of the equal Dignity of human Nature ; That, in Power and Authority of Individuals, derived solely from a Principle of Coercion, against the Will of Individuals, and to dispose of their Persons and Properties, consists the compleatest Idea of private and political Slavery ; That all men being ameniable to the Deity, for the ill Improvment of the Blessings of his Providence, They hold themselves in Duty bound, strenously to exert every Faculty of their Minds, to obtain that Blessing of Freedom, which they are justly intitled to from the Donation of the beneficient Creator ; That thro' Ignorance and brutish Violence of their native Countrymen, and by the sinister Designs of others (who ought, to have taught them better) and by the Averice of both ; They, while but Children, and incapible of Self-Defence, whose Infancy might have prompted Protection, were seized imprisoned and transported from their native Country, where, (Tho' Ignorance and Inchristianity prevail'd) They were born free, to a Country, where (tho' Knowledge, Christianity and Freedom, are their Boast) They are compelled & thier unhappy Posterity to drag on their Lives in miserable Servitude ! — Thus, often is the Parent's Cheek wet for the Loss of a Child, torn by the cruel hand of Violence from her aking

Boosom ! Thus, often, and in vain, is the Infant's Sigh for the nurturing Care of its bereaved Parent ! and thus, do the Ties of Nature and Blood, become Victims, to cherish the Vanity and Luxery of a Fellow Mortal ! Can this be Right ? — Forbid it gracious Heaven ! —

Permit again your humble Slaves to lay before this Honarable Assembly some of those Greivances which They dayly experiance and feel ; Tho' Fortune hath dealt out our Portions with ruged hand, Yet hath She smiled in the Disposal of our Persons to those, who claim us, as thier Property ; of them, as Masters, we do not complain : But from what Authority, they assume the Power to dispose of our Lives, Freedom and Property, we would wish to know ; Is it from the sacred Volumes of Christianity ? Where we believe it is not to be found ! but here hath the cruel hand of Slavery made us incompetent Judges, hence Knowledge is hid from our Minds ! Is it from the Volumes of the Laws ? of these also, Slaves can not be Judges, but those, we are told are founded in Reason and Justice ; it can not be found there ! Is it from the Volumes of Nature ? No ! Here we can read with others ! of this Knowledge Slavery can not wholly deprive us ; Here, we know that we ought to be free Agents ; Here, we feel the Dignity of Humman Nature ! Here, we feel the Passions and Desires of men, tho' check'd by the Rod of Slavery ! Here, we feel a Just Equality ! Here, we know that the God of Nature made us free ! Is thier Authority assumed from Custom ? if so, Let that Custom be abolished, which is not founded in Nature, Reason nor Religion ; Should the Humanity and Benevolence of this Honorable Assembly restore us to that State of Liberty of which we have been so long deprived, We conceive that those, who are our present Masters, will not be Sufferers by our Liberation, as we have most of us spent our whole Strength, and the Prime of our Lives in their Service ; And as Freedom inspires a noble Confidence and gives the Mind an Emulation to vie in the noblest Efforts of Interprize, and as Justice and Humanity are the Result of your Deliberations ; we fondly Hope that the Eye of Pitty and the Heart of Justice may Commiserate our Situation and put us upon the Equality of Freemen and give us an Oppertunity of evincing to the World our Love of Freedom, by exerting ourselves in her Cause, in opposing the Efforts of Tyranny and Oppression over the Country in which we ourselves have been so long injuriously inslaved —

Therefore your humble Slaves most devoutly Pray, for the Sake of injured Liberty, for the Sake of Justice, Humanity, and the Rights of Mankind ; for the Honour of Religion, and by all that is dear, that your Honours would graciously interpose in our Behalf, and enact such Laws and Regulations, as you in your Wisdom think

proper, whereby we may regain our Liberty & Be rank'd in the Class of free Agents, and that the Name of Slave may not more be heard in a Land gloriously contending for the Sweets of Freedom; And your humble Slaves as in Duty bound will ever Pray

Portsmouth November 12th 1779

Seneca Hall	Peter Frost	Zebulon Gardner
Peter Warner	Prince Whipple	Quam Sherburne
Cato Warner	Nero Brewster	Samuel Wentworth
Pharaoh Shores	Pharaoh Rogers	Will Clarkson
Winsor Moffatt	Romeo Rindge	Jack Odiorne
Garrett Colton	Cato Newmarch	Cipio Hubbard
Kittindge Tuckerman	Cesar Gerrish	

State of
New Hampr } In the House of Representatives April 25th 1780

Upon reading and considering the Petition

Voted. That the Petitioners be heard thereon before the General Assembly on the first friday of their next Session, & that they in the meantime cause the substance of the Petition and order of Court thereon to be published three Weeks successively in the New Hampshire Gazette that any person or persons may then appear & shew cause why the prayer thereof may not be granted —

Sent up for concurrence

John Langdon Speaker

In Council the same day read & Concurr'd

J Pearson D. Secy

[6–111]

[Committee appointed to nominate candidates for Secretary of State, and State Treasurer, December 17, 1779. — Ed.]

[7–1] [*Minutes of Court* 1776–1780.]

Minutes of Judgments rendered against sundry Persons convicted of counterfeiting money or of having or passing counterfeit money before the Superior Court of Judicature in the several counties from the year 1776 to 1780

In the County of Rockingham.

1776 Septr James Ryan was convicted of passing counterfeit

money — Judg^{t} That he be whipped twenty stripes &c That he pay a fine of ten pounds for the use of the State & Costs of prosecution * & stand committed till sentence be performed. * not taxed

1777 Septr Term Stephen Holland for counterfeiting and passing — Judg^{t} That he be imprisoned three months, that he pay a fine of two thousand pounds and costs of prosecution * and stand committed till sentence be performed. * not taxed

1778 March Term George Wood — for passing, — Judg^{t} That he be imprisoned six months, that he pay a fine of fifty pounds and costs of prosecution and stand committed till sentence be performed

1780 Septr Term David Carr — for passing — Judg^{t} That he pay a fine of one thousand pounds & costs of prosecution taxed at twenty seven pounds & stand committed till sentence be performed

In the County of Hillsboro'

1776 Septr Term William Stark was indicted for passing Counterfeit money & bound by recognizance to appear at that term but made default — John Stinson of Dunbarton was his surety — A Scire facias issued against Principal & Surety & at Septr Term 1778 they were again defaulted whereupon judg^{t} was rendered that they should pay the sum of one hundred pounds & Costs of prosecution taxed at thirty four pounds seventeen shillings & sixpence — Execution issued March 8th 1779 but has never been returned. Thomas Cumings was indicted for the same offence & bound for his appearance — but made default — Samuel Cumings and William Pool were his sureties — A Scire facias issued against the three but at Septr Term 1778 they were all again defaulted whereupon judgment was rendered against the said Thomas Cumings for the sum of one hundred pounds or the sureties for fifty pounds each & costs taxed at thirty five pounds five shillings & sixpence — Execution issued against Pool for fifty pounds & the Costs June 10th 1779 but has not been returned —

1777 Septr Term John Holland was indicted for counterfeiting — & being bound for his appearance made default Robert Reed & Israel Town were his sureties & were likewise defaulted — The Principal was bound in one thousand pounds & the Sureties in five hundred pounds each — These forfeitures were never exacted.

1778 Septr Term John Hitchcock convicted of passing &c Judg^{t} That he pay a fine of fifty pounds & Costs taxed at twenty five pounds eight shillings & sixpence that he be imprisoned three months & stand committed till sentence be performed.

Jonathan Gove convicted of having, passing &c — Judgment that he pay a fine of seven hundred and fifty pounds & Costs taxed at twenty six pounds twelve shillings & sixpence & that he be imprisoned for six months & stand committed till sentence be performed —

In the County of Cheshire.

1780 October Term John Noyce Matther convicted of passing &c — Judgment That he pay a fine of one thousand pounds and costs of prosecution and stand committed till sentence be performed.

In the County of Strafford.

1777 May Term James Richardson convicted of passing &c Judgment That he pay a fine of three hundred & fifty pounds, That he be imprisoned four months and pay costs of prosecution and stand committed till sentence be performed.

Extracted from the Records by
Nath[l] Adams Clerk

[7-2]

[Petition of Lemuel Doe, of Bristol, Mass., for permission to take corn and sheep from New Hampshire to Massachusetts. — ED.]

[*Commissioners Olcott and Woodward to Colonel Chase.*]

[Chase Papers, p. 45.]

Philadelphia Feb[y] 4[th] 1780 —

Sir — On our way we received no money from Plainfield and but little from Cornish we have been obliged to borrow already and must borrow considerable more — hope therefore you will use your endeavor that the money be collected for Cornish & Plainfield proportions before our return that we may then be able to discharge the pecuniary obligations we have laid ourselves under in the public cause — The matter has been entered upon by Congress but we do not expect a determination untill after the Agents for the States arrive, none of which have yet come to town — our coming will be in vain unless we can tarry to make thorough work of the matter in which case I doubt not it will be useful — As to an issue we cant yet guess —

We are Sir your most obedient humble Servants

Cornish £180 —
Plainfield 180 —

£360.

Peter Olcott
Beza Woodward

Col[o] Chase

[Colonel Olcott and Mr. Woodward were chosen, at a meeting of the committees of associated towns in the northern part of New Hampshire grants, to look after their interests in the matter of disputed jurisdiction. See Vol. X. — Ed.]

[7-4] [*Samuel Hunt Declines a Commission.*]

Charlestown Decembr 13. 1780

Honrd Sir

Some time past I Recd by the hand of a Traveler a Commishon wherein I was appointed to the Command of the Sixteenth Rigment of this States molisha. I am Verry far from Slighting any Honour Done me by so Respectable a body as the General Coart but as I have No Tallant well a Dapted to the Military Department & by acceptance may Prevent Some worthy gentleman from the Command who will be able to fill that office to the Honour of the State & Likewise agreable to his own inclination I have inclosed the Commishon pray you to accept of my Resignation Hond Sir I am with the greatest Respect your Verry obedient & Verry Humbl Sert

Sama Hunt

to the Honble Meshck Ware President

[7-5] [*Petition of Patrick McDonnell*, 1780.]

To the Honorable Council and House of Representatives for the State of New Hampshire in General Assembly convened at Exeter the 20th day of Decbr A D 1780 —

The Petition of Patrick McDonnald a Native of Ireland humbly sheweth That your Petitioner in the Course of the month of Octbr last, was taken on his passage from Newfoundland to Barbadoes, & brought as a Prisoner into the Port of Piscataqua. That charm'd with the Cause of American Freedom, and influenced by a desire to assist, in establishing that standard of Liberty to which he is convinced Numbers of his hapless Countrymen will in time flock for shelter. he is anxious to become a Subject of this State, to share the Blessings of American Freedom. He therefore humbly prays that your Honors would admit him to take the Oaths of Allegiance, and to become a Citizen of your happy Republick and your Petitioner as in Duty bound shall ever pray —

Patrick macDonnell

State of New Hampshire } In house of Representatives Decr 22^{d} 1780

Upon Reading and Considering the within Petition

Voted that the Prayer thereof be granted and that on his taking the Oath of Allegiance he be Liberated

Sent up for Concurrence John Langdon Speaker

In Council the same day read & Concurred

E Thompson Sec^{ry} —

[7–6]

[Proposals to ride post by Samuel Robinson, of Exeter, July 19, 1781.— Ed.]

[7–7] [*Report of a Committee.*]

This Commited to a Committee of five —

With respect to the 3^{d} Article the committee are of opinion that it will be expedient for Congress to leave it to the option of all officers entitled to halfpay either to preserve their claim to that provision as it now stands by the several resolutions upon that subject or to accept in lieu thereof years full pay to be paid to them in one year after the conclusion of the war in Money, or place in good funded security bearing an annual Interest of six ℔ Cent : — provided that the allowance to Widows & Orphans of such officers as have died or been killed or may die or be killed in the service during the war shall remain as established by the resolution of the

With respect to the 4 & 5th Articles the Committee by leave to delay their report untill they have obtained more precise information than they now possess upon the subject. —

[7–8]

[Order on the treasurer for forty-nine shillings, by Ephraim Adams in favor of John Odlin, January 18, 1782. — Ed.]

[7–9] [*State Accounts to Feb.* 9, 1782.]

ACCOUNT OF OBLIGATIONS FOR MONIES DUE TO THE STATE OF NEW HAMPSHIRE.

1775			
May 20	John Clark payable to Messrs Nichs Gilman & Enoch Poor		£5.8.0 for Bath & Lyman
" 26	Ephraim Wesson	do	£7.10.0 for Haverhill
" "	Richard Young	do	3.—.— for Piermont
" "	Israel Morey	do	4.10.— for Orford
June 14	Ebenezer Burbank	do	3—15.— for Conway
" "	Henry Elkins to Nicholas Gilman		20lb Powder
" 20	Benjamin Titcomb do		30lb Powder
" 24	Nathan Goss do		4..10..0 for Rye
" 30	James Jones, Isreal Marden } do		6..6..0
1776			
June 29	Jonathan Hale principal, J Hurd, Israel Morey } sureties	Nichs. Gilman Treasr	£200..0..0 for Haverhill & Bath
July 3	Jonathan Chandler	do	50..0..0 for Piermont
" "	Samuel Curry	do	5..—..— New Holderness
"	Abner Fellows, Elipht Gale }	do	4..6..0 Alexandria & New Chester
"	Israel Morey	do	50..0..0 Orford
" 2	Moses Dow, Elisha Bean } Plymouth		
	Benja Hickcox, Thos. Bartlet } Campton	do	250..—..—
	Edmund Elliot, Thornton		
" 2	Michael Dwyer, Alexander Crai[ge] }	do	45..—..— for Rumney
" 5	Elisha Bingham, Samuel Jones }	do	5..—..— Enfield & Canaan
" 11	Joshua Heath	do	40..—..— Conway
" 11	Ebenezer Kendal, Stephen Ames }	do	12..—..— Cockermouth
" 25	Jonathan Moulton	do	70..—..— Tamworth & Moultonborough
Sepr 24	Benjamin Folsom	do	10..4..0 on Interest
Decr 12	Jacob Bayley	do	250..—..—
1777			
June 28	Asa Porter, Moses Porter } [Illegible] or Successor		54..6..0 on Interest
1778			
Jany 31	Richard Jordan, Hawley Marshall }	do	200..—..—
July 14	William McCoy, Levi Warner }	Nichs Gilman Treasr	20..—..—
1782			
Feby 9	Capt John Dennett, his Order for £30..—..— on the Committee of Safety.		

[7–10] [*Memorial of Nathaniel Peabody.*]

State of New Hampshire } To the Honble the Council & Honble House of Representatives in General Assembly Convened at Concord March Session 1782.

The Memorial of Nathl Peabody Humbly Sheweth that on ye 30th of March 1779, your memorialist had the Hon^r of being appointed a delegate for Said State to the Congress of the United States, which trust he accepted, and by direction of the General Assembly, after making the Necessary preparation for the undertaking, about ye 1st of June then Next your memorialist Set off, & made ye best of his way for Philadelphia, where he attended the business of his mission, and endeavoured faithfully to discharge the duties of his high trust with fidellity, and as he hopes in some degree to the approbation of his fellow Citizens till the month of April 1780. When your memorialist had the farther Hon^r of being appointed one of a Committee from the Honble Congress, to repair to Head Quarters in order to transact Certain important matters assign'd them that near the latter end of Said month of April your memorialist, with the other members of the committee proceeded to H. Quarters where he was detaind to compleat the business of his mission, and to make a proper report thereon to Congress, till ye 12th of Novr 1780. After which your memorialist lost no time in sending forward the said report, & other public papers, with an accompt of the Said committees expenditures during Said employment ; to Congress and prepare for his return to this State which by reason of your memorialists ill State of health at that time was not compleated till about the 25th of Nov^r & on the 27th he Set off from Head Quarters and arrived home ye 10th day of Decr 1780 — And your memorialist begs leave in this place Just to mention that during his residence at Head Quarters diverse important matters Came before the Committee, in the decision of which this State was deeply interested.

That your memorialist expended large Sums of money &c for his Comfortable Support whilest in the employment afores^d (exclusive of his expences when on committee at H. Quarters which he relieth on ye United States for reimbursing) and hath received Considerable Sums in money &c to account for with this State —

That on the alarm June ye 9th 1780, your memorialist was induced to send from Head Quarters his Chest, containing the most valuable part of his Clothing, with a variety of valuable papers among which was his account of expenditures from the time of his entering the Service of this State as afore^d to the time of entering on the busi-

ness of Said Committee with most of the Necessary vouchers therefor — that altho your memorialist hath been at great trouble & expense in searching for said Chest, he hath not been so happy as to recover ye Same or any part of its Contents — whereby he is rendered unable to State his account with this State in the usual form until he can procure his papers afores^d^

Wherefore your memorialist requesteth this Honble Court to take the premises into Consideration and determine what Sum in Specie he shall be allow'd p^r^ diem for his time & all expences during his being on the employment of this State, and a Suitable Compensation for his time, only, whilest in the business asign'd the Committee as afores^d^, and that he be allow'd to Credit this State for whatever Sums of money &c that hath been advanced him for that purpose on account according to the real value thereof (as near as can be ascertaind) when compared with Silver & Gold at the times and places of expenditure, in order that his said account may be Settled & Closed, by the Honble Com^tte^ of Safety, in the recess of the Court, or Such other way as this Honble Court Shall Judge more Eligible —

And as in duty bound Shall pray

Concord M^h^ 26. 1782. Nathl Peabody

[7-11] [*Petition for the Re-incorporation of Monson*, 1782.]

To the Honerable Council and House of Representatives in General Assembly conveined for the State of Newhampshire the Second Tuesday of June 1782.

The Petetion of the Subscribers

Humbly }
Shews } That your Petitioners Inhabit on a tract of Land Lying Between sowhegan River and the Town of Hollis (According to its first Charter) — which tract was once incorporated into a Township by the Name of Monson but at the time such incorporation took place, the inhabitants thereof were but few in Number and Unable then to Suport the charge of a Town and Commonly Attended public Worship at Hollis and Amherst.

That about the year 1770 — a proposal was set on Foot for Monson to be divided and by New Charters anexed to the Said Towns but notwithstanding the same was considerably Opposed by many of the Inhabitants Both of Monson and Amherst the same has taken place and your Petitioners have been at much Public Expense in said Towns by Reason of their being anexed to them —

That the Contents of Monson are at least five miles Square and the Land as good as Land Generally is in this part of the Country — and is now become considerably Settled and increases dayly — in Improvement and inhabitants, and are are now Able to Reap the Benifit of an incorporation if they might Obtain such a favour as they now Consist of at least eighty five Families —

That your Petitioners are not unacquainted of a certain Petition Now being before this Assembly Signed by a Number of persons residing in what was formerly Monson, Joined by a Number living in Amherst (According to the first Charter) Praying for Certain matters as in the said Petition is Mentioned — and as the Matters Contained in these Petitions are of much importance to both setts of Petitioners a Consideration of this their Request Previous to a final determination, of the Petition above Alluded to may Produce Such a Law as will reconcile all parties and promote their Weal Peace and Concord —

Your Petitioners therefore most Humbly pray, that your Honers will take the Premises (in all its parts) under your wise Consideration and Give them Leave to bring in Such a Bill as will Place the Antiant Town of Monson in its former Situation as to Boundaries, and invest them with such Priviledges and immunities as other Towns in this State hold and do Enjoy — Your Petitioners cant think a Motion of this kind will be Opposed by either of the Towns, of Hollis or Amherst, as they are Large both as to Extent and inhabitants, & Should your Petitioners be so fortunate as to have a Bill Passed in their favour as to an incorporation they will be Willing Still to pay towards Suporting the Gospel in the respective Towns they now belong to till they shall Maintain Preaching among themselves a very Considerable part of the time — and as this Honerable Assembly can have no other thing in view but the Peace & good Order of all parts of the State they represent your Petitioners are encouraged to hope for a grant of their Request in Such a way and Manner as Shall Seem Meet to Your Honers — and Your Petitioners, as in Duty Bound Shall Ever pray &c

Dated Amherst May 23^{d} 1782

Josiah Kidder Juner	Robert Perkins	Joshua Clark
Nehemiah French	Timothy Emerson	John Whiting
Benj^{a} Messer	Silas Spaulding	Josiah Kidder
Joseph french	Jonas Shattuck	Daniel kidder
Joseph Hood	Ebner gibson	Jonth Danforth
Ivory Hovey	Eleazer Usher	Jotham Stearns
William french	Jonathan Lovejoy	Thomas Emerson

Oliver Bowles	David Dunckle	John Dutton
Jerathmeel Colburn	David Wallingsford	Abraham Leman
William French jr	Simeon Blac	Jonathan Spaulding
William Patten Juner	John Stearns Junr	William Peacock
John Stearns	Edward Foster	Benjamin Emerson
Timothy Emeson Juner	Stearns Needham	

We the Subscribers think the foregoing requested incorporation will be more for our and the public good than the privileges asked for in a former petition now depending before this honorable House to which we were Subscribers, and therefore humbly request that the Same may be granted in preference to the matter contained in the said former Petition. Stephen How

Dated May ye 23^{d} 1782 Samuel How

[7–12] [*Eleazer Russell to Meshech Weare*, 1782.]

Sir The Law of the State and my duty direct me to apply to you in affairs that relate to the Naval office and Some late occurrences make Such an application now necessary.

My Study has been to look after the Vessels that export corn & provisions to the eastern country lest they Should be carried to the enemy, and there is reason to fear it is often the case. Some of the Vessels that come here from the eastward are frequently taken by the British; Sometimes they ransom or purchase their Vessels, and return again upon the Same trade, and dont appear to be the poorer for the loss; by this means the enemy get Supplied. When they go Safe no people are more punctual in conforming to the Law, or in bringing certificates to cancel their bonds

There are also a number of Vesels that come into this port under pretence of making a harbor, and Sometimes lay several Days, and there is no Doubt that much provisions is carried to them by night, in Small boats, in a way that cant be detected, and no one knows where they go. This perhaps might be remedied by a Sufficient guard at fort point, on Great Island, and no Vessel Sufferd to go out without a pass, as the Law directs; But when I apply to the Cap^{tn} of the Forts upon the Subject, he tells me there is not hands enough to man a boat, & by that means many Vessels come and go without being examined at the office.

Many advantages would result from that point's being fortified — the harbor wants a guard — on the first instant a Brig from Cape Ann, then at anchor there, was attempted at 11 °clock at night by a

six oar'd barge; the Brig happend to be provided with Small arms, and had more men, & the boat left them & went out of the harbor.

The 7th Inst a Small armd Shooner was in the port and her peoples behaviour was very Suspicious — the masters of Some Vessels at anchor there went on board her, and they gave an odd & very contradictory account of themselves and when the examiners went on shore to inform, the Schooner pushd out to Sea. I had these facts from persons personally present.

Occupying Fort point woud be keeping possession of the Jurisdiction of the river, which Newhampshire ever had; tho it is now often disputed by individuals of the other State, who claim a right of going to Kittery and Berwick without being subject to the Laws here — but it is a point I have never given up.

From my first appointment to this office, it has been my constant aim to fix Such rules; agreeable to law; as shoud be safe for Government, easy to individuals, and to the persons that may Succeed me — For there had as good be no Law if it is not conformd to; But have never Straind the law beyond its litteral meaning or carried things to extrems. I have Strech'd my thots forward to the time when it may be necessary to lay duties for the public good — Have fixed my attention to the Smaller Vessels which at Such a time will be the greatest transgressors, and aimd at keeping them Steady to the rules of law *now* that they might not complain of order then, and call it innovation. Difficult has been the task — But till lately I have succeeded far beyond expectation, thro all the uproar and turbulence of the times.

Now there are three or four people that murmur at the rules. They are employd in the coasting business, in transporting merchandise from State to State, aud want a pass to run a year without being examined — If it was allowd to a few, all would demand it, and there would be an end to looking after corn, provisions, and prohibited goods. These people now delay to enter their Vessels in Season, and tho the penalties of the law are high they are Something intricate and many innocent people who are freighters woud be principal Suffers — would not lower penalties, clearly expressed answer a good end?

Two or three of the people alluded to Shew Some uneasiness about fees. When the Naval office was first orderd, by a resolve of the Genl Court, early in the year 1776 no fees were mentiond, and I was advised by the State committee to make out a list for the Several papers to be used, that was moderate, which I did, and first shew it to the merchants then in trade, who thot it full low — It afterwards had the Saction of the Honble committee of State.

When the office was establishd by Law in Novr 1778 this list was before the Honble General court ; and on account of depreciation they were pleasd to order three for one. When paper money ceasd to circulate, I knew not what to do. To reduce the law fees by the Scale of depreciation brot them very low, and producd fractions that I coud never make even change Therefore I recurd to the original list which is now enclosd, & it has Since been my rule. Im far from wishing any thing unreasonable or exorbitant, but with that authority woud be pleasd by a resolve to say what shall be legally taken — I have not a desire that the enclosed list should be advanced, but reducd if thot too much — but only that I may not be a judge in my own case. For much as I have Sufferd by depreciation, and the Sale of estate in consequence of it, to help make out a living, Im not averse to Suffer with the public.

You will please Sir, to Judge what of these affairs is proper for the Honble General Court to know and to believe that I am with great personal regard

your Dutiful & most obed^{t} Servt

Portsmouth 10th June 1782 E Russell

Honble Co^{ll} Weare

[Translation.]

[7–13] [*Letter in Regard to the Ship "Ellen,"* 1782.]

Fort Royal, Grenada June 15th 1782

Sir I have received the letter which you have done me the honor to write me, that of the Chevalier de la Luzerne, the copy of the petition of Mr John McClintock & that of the Extract from the Minutes of Congress, which were all enclosed : If I have deferred so long to give you the Account you ask of me of the reasons which induced me not to deliver the ship Ellen and her Cargo to the revolted Crew (of whom the Sieur McClintock was one) who took possession of her & brought her on the coasts of this Island, It was because I was obliged to look over the whole of the proceedings

Here is an Account of the facts upon the examination of the greatest part of the Crew of that Vessel, who agree pretty well together, & which M^{r} McClintock has not Candidly stated in his petition to the Council of N. Hampshire

On the 17th of March 1780, appeared at the head of the Island a Vessel without a flag, it passed pretty near the land, & the battery

of Grand pauvre fired a gun for her to hoist her colors, she had none but English ones which were hoisted reversed, in order to shew that she was a prize, the Vessel passed without any difficulty with her flag reversed to the next battery, that of Gouyave, which is at a very little distance from the former, a gun was immediately fired, & the Vessel was hailed, in order to know who she was & whence she came — It was answered that she came from Cork and was a prize, She was ordered to anchor, to put her boat to sea and send her papers, which was executed, but the men who were in the boat were arrested when they came ashore, & Mr Gautier, a Captain of the Militia of that quarter with twelve or fifteen men went on board, where they were received without any resistance, took possession of the Vessel, and had her brought to the port of this Island the same day at about four o'clock. The Sr Gautier who imagined he had made a prize, remained on the Vessel, without thinking of making his declaration to the Admiralty, & you may remember, Sir, that you was obliged to interpose y^r^ authority, in order to make him leave the Vessel with his people, & return the papers which he had in his possession.

On examining and questioning Six of the crew, I found that the Vessel was called the Ellen, that she was from the port of Newry in Ireland, & had left Cork the 19th Jany 1780 to go to Barbadoes and Antigua, that her Crew consisted of one Frenchman, three New Englanders, two Irishman, three Scotchman, a passenger & the Captain also an Irishman, that eight of those men vizt the Frenchman, the three New Englanders, the two Irishmen, and two out of the three Scotchmen had made a plot to take possession of that Vessel, that they had effected it in sight of Barbadoes, and had conducted the Vessel on the coasts of this Island, where Mr Gautier of the Gouyave Militia had taken possession of her, and brought her into this port

You see, Sir, that the revolt on board could not be effected by New Englanders only, but by a Frenchman, two Irishmen & two Scotchmen, that in this manner, I could not give the price of this Vessel & her Crew to the insurgents.

I could not give the prize to the Frenchman because according to our Laws, all prize made without a commission belong to the Lord high admiral, who in this case always gives up his right. I could not give it to the two Scotchmen or to the two Irishmen, because thereby I would have authorized a crime punished with death among all Nations, there were none then but the three New Englanders who had some right to it but being the smallest number, they followed the fate of the majority ; Besides, I could not grant to them alone what they had not taken alone : I could not grant it to all.

It is very certain that had they all been New Englanders, I would not have failed to allow them the prize, as I had already done in several Circumstances & particularly in the case of a Ship which some new Englanders had taken at Barbadoes, at the time of the Marquis de Bouillés second Voyage to that Island.

In this Circumstance I thought it my duty to adjudge the Vessel and her Cargo to the King & my Lord High Admiral — the funds have been carried to the Treasury, & I am ignorant of their destination.

In similar Circumstances the Admiral has very often if not always given up his right, or at least given a proportionable reward, & I make no doubt that on the representations of the Ambassador with Congress, to my Lord Admiral, the New Englanders will be excepted & rewarded.

I will observe to you, Sir, that the Sr John McClintock has told an imposition in his Memorial, in pretending that he has been closely imprisoned for eight days, the New Englanders have only been in prison three days with every thing allowed them to which men who are not criminal are entitled, after which time they were left absolutely free, & at liberty to embark on Vessels of their own Nation at their choice. It is also a lie to pretend that they were flattered with the hopes of having their share of the prize, since I myself declared the contrary to them in causing the above mentioned reasons to be explained to them, as well as the hopes they might form from the kindness of the Lord High Admiral

a true Copy — I am with respect &c

signed Durat — signed Aubert

[7-14] [*Another about the Same Affair.*]

Grenada, June 17th 1782

Sir, I have received the Letter which you have done me the honor to write to me, dated Decr ye 11th of last year, and the petition of the Sieur McClintock to the Council of New Hampshire; I enclose here a Copy certified by the Seneschal of Grenada, who is also a Judge of the Admiralty, which contains the motives of my Judgment — I have the honor to observe to you that in this Colony the same laws are followed as in the other French Colonies, & particularly those of the Admiralty, on which the Administrators have little influence; but the money arising from the prize in question having been put into the

King's Coffers, to be distributed in France among those who have a right to it, all further claims must be laid either before the Council of captures, thro' the Minister of the Marine or directly before the Lord High Admiral of France who alone have a right to alter or break the local decisions of the Courts of Admiralty.

I am with respect &c
signed, Durat.

[7–16]

[Action of the House accepting the resignation of Chief Justice Weare, who retired on account of age and infirmity. — ED.]

[7–17] [*Petition for Increase of Currency*, 1782.]

To the Honorable Council & House of Representatives in General Court Convened

The Petition of the Subscribers Humbly Sheweth

That for want of a Currency the People of this State are really reduced to a most deplorable situation that with all their industry are unable to carry on any Commerce or Trade even with their Neighbors to pay any debt, tho' never so Just or trivial — And by reason of the scarcity & exhorbitant prices of Salt and other necessaries of Life the Small Quantity of Coin that was formerly amongst us is thereby taken away — And unless there can be some Medium for Trade Your Petitioners must of Consequence fall victims to their Creditors & both they and their Families a Sacrifice to Beggery & Want by being depriv'd not only of the conveniences, but of things absolutely necessary for the Support of Life itself

This is most severely felt both by Farmers and Tradesmen the former being obliged to trust the fruits of his Industry to his famishing Neighbor without the least hopes of a recompense and the latter after having expended all his property for Stock must distribute it to his needy customers for promises which they (though ever so willing) are unable to perform

As a consequence of the above recited grievances we are threatened with speedy and inevitable ruin by the multiplicity of Lawsuits which with the extravagancy of Lawyers fees in many instances tend to the Destruction of the unfortunate Debtors and will if not speedily mitigated end in the utter annihilation of all good order and harmony in this state

These are a few of the many grievances which the good People of this State Labor under and cannot be unknown to the Honorable Court and our Eyes are to you Gentlemen, as the Guardians both of our Liberties & Properties to you we humbly look for redress — in you we trust & confide — and as in duty bound shall ever pray &c

November 12th 1782

Wm Livingston	John Taplein	Wm Hogg
Samuel Smith	Wm Peterson	Tobeas Butler
William White	Hugh Blair	John Wilson
David Scobey	Robt Willson	Samuel Wilson
Samll Nutt	Barnebus McGinnis	Wm Beard
Willm Nutt	Robert Hogg	Andrew Walker
Simon Dodge	Abner Hogg	Andrew Walker Jr
Jacob Ober	Robert Low	Aron Soley
William Blair	Thomas McColom	Nehemiah Dodge Jr
Jonathan Major	Jno Little	James Gregg
Robert Walker	Jos Farmer	Lesly Gregg
Philomar Perkins		

[7-18-19]

[To two other petitions of the same tenor and date, are affixed the following names.]

Elisha Dodge	Jesse Cristy Jun	Silas Walker
John McMillan	Samuel Stickney	David McCleary
Hugh Ramsey	Benja Dodge	Samuel Morison
Alexander Kelso	Thomas Karr	Nathaniel Dodge
Ebenezer Batcheller	Josiah Abbott	Enoch Dodge
John Batcheller	Jno C McNeill	Elisha Dodge Jr
Nathan Jones Jr	Antipas Dodge	Robert White
Arthur Dennis	Joseph McClure	William White Junr
Thos Aiken	Thomas Brown	Archibald mcallster
William Montgomery	Jno Little	John Wells
Andrew Wilkins	Jos Farmer	David Mcglaughlon
Timothy Jones	Robert Campbell	Benjr Dodge
John Donovan	Hugh McMillen	Daniel Mcmillan
Nenian Aiken	James Cochran	Jno Little
Eli Wilkins	Josiah Warner	Jos Farmer
George Cristy	James Caldwell	

[7–20] [*John Sullivan to John Langdon*, 1782.]

Exeter November 15th 1782

Sir I had the honor of Petitioning the honble assembly at their last Session to obtain Liberty for Mrs. Holland to visit her Children in this State — but the prayer was not then granted and the reasons for refusal I have not been able to Learn. — I have received a recent application from Colo Holland to renew my requisition which should be glad to Lay before the House together with some reasons which may convince the assembly of the propriety of my application & possibly induce them to comply with my request — I should Esteem it a particular favor if the House will permit me to lay my reason before them this afternoon —

I have the honor to be with the most perfect Esteem Sir your most obedient Servant Jno Sullivan

Honble John Langdon Esqr

[7–22] [*Petition from Inhabitants of Cheshire County*, 1782.]

State of New Hampshire

To the Honourable the Council and House of Representatives in General Assembly convened for said State

The Petition of the Subscribers, Freeholders, and Inhabitance of the County of Cheshire Humbly Sheweth —

That your Petetioners together with Other Inhabitance of this State Labour under great and almost Intolerable Grieveances for want of Currency; there being among us not One fourth part of hard money for a medium of Trade. Our Distance from the Seaports and our Scituation in many Respects such that it is impossible for us to Obtain hard money in a way of trade — the consequence is that Lawsuits are Daily increaseing and Lawyers (tho often Necessary) take Exhorbitant fees by means of the Laws being imperfect (in that Respect) all which Grievences have a tendency to stir up mobs, Riots, Anarchy & Confusion — We therefore humbly pray that your honours in your Wisdom will Devise means by which said Greivances may be Redressed by makeing State Securities Live Stock and Contry Produce of all Kinds a Lawfull Tender to answer all Executions Levied on Debtors = said Securities Computed at their Nominal value and Contry produce to be apprised by Substantial men; also to provide a way whereby Debtors may Discharge their Debts without

paying such Exhorbitant fees to Lawyers that in many instances Amount to Double the Debt One Reason (Among many others) is that the Lawyers Draw pay for the attendance and travel of Each of their clients During the whole time of the Siting of the court even in the Cases not Disputable and Doubtless in many other Instances your honours will find upon Examination that Lawyers fees ought to be abridged — and that no Debtor (where the Case is not Disputable) shall be obliged to pay any cost ariseing in any suit for Debt Except the court fees already provided — and that in Disputable Cases where the plaintiff is obliged to attend — the court before whom the Case is tried shall order and Determine the sum to be paid unto the plaintiff for his attendance according to the Time Travel and Expences of said plaintiff which shall be paid by the Defendant and also that the fee Table may be Regulated we therefore pray your honours to take the same under your wise Consideration and grant us Such Releif therein as you shall think best and we as in Duty bound shall Ever pray —

Decem^{r} 16 1782

Stephen griswold	Nathl Bingham	Josiah Willard
Sam^{ll} Daniels	Ichabod Smith	Laroy Emes
Benja^{n} Parker	John Griggs	Jonas Prescott
Thaddeus Metcalf	Benja Hall	David Nims J^{r}
Michal Metcalf	Caleb Tucker	Ebenezer Carpenter.
Jonathan Bailey	Benja^{n} Willis	Timothy Ellis jr
Jesse Clark	Ezra Harvey	Abijah Metcalf
Josiah Ellis	Aaron Willson	Ichabod Fisher
Abijah Wilder	Thomas Fisher	Elisha Briggs
Joseph Parker		

[7–23]

[Resolve of the House, Feb. 27, 1783, "that the present government be continued in full force till the tenth day of June 1784, notwithstanding a general pacification should take place in the mean time; provided, a permanent plan of government for this State, should not be established antecedent to that period." — Ed.]

[7–24] [*Petition of John Hale of Hollis*, 1783.]

To the Honble the Council & house of Representatives for the State of New Hampshire in General Assembly Convened at Concord the 19th day of June in the year of our Lord 1783 —

The Petition of John Hale of Hollis in the County of Hillsborough & State aforesaid Esqr —

Humbly sheweth That about Fifteen months ago, he purchased a Certain tract of land in s^d Hollis, being part of the Confiscated Estate of Breed Batchelder Late of Packersfield in the County of Cheshire and now an Absentee, and Gave his Security to Doct^r Nathl Breed the agent to said Confiscated Estate for the purchase sum of Said Estate, amounting to Upwards of One hundred pounds — at the same time the State owed your said petioner three hundred & thirty eight pounds Eleven shillings — and that he Expected to offsett so much of the debt due to him as aforesaid, as the said purchase money amounted to, notwithstanding which, and altho' the said Trustee well knew that the Publick were indebted to your Petioner: he the said trustee Commenced a Suit against him at the Inferior Court held at Charleston in April Last for about Twenty pounds being part of said purchase money, which action is now pending, and your petitioner is in daily Expectation of being sued for the residue. —

That your petitioner attended three years as a Surgeon in the first New Hampshire Regiment, whereby he neglected his private avocations and is not now able to pay the said demand without your honours interposition without which your petitioner must be Greatly injured wherefore he prays that an order may Issue to said Trustee to discount the whole of his demand, and to withdraw his said action he paying costs, and that your said petitioner may have an order upon the Treasurer for the Remainder of the debt due to him from the State as aforesaid, and he as in duty bound will Ever pray.

Concord June 19th 1783. — John Hale

[7–25–26]

[Action of the House on the recommendation of Congress in regard to the division of expenses incurred for the common good of the States, June 20, 1783. — Ed.]

[7-27] [*Receipt from Stephen Gorham to John T. Gilman.*]

State of New Hampshire Exeter 14th July 1783.

Received of John T. Gilman Esq Administrator on the Estate of Nicholas Gilman Esq late Commissioner of the Continental loan office in said State. Two Million Nine hundred thousand Two hundred thirty One Continental dollars of the Old Emission being in full for the balance of this State's quota of a requision of Congress of the 18th March 1780 for sinking the same — which money I have destroyed agreeable to a resolution of Congress of 18th September 1782. and for which I have signed triplicate receipts of this tenor and. date —

Stephen Gorham Commissioner

2,900,231 dollars for settling the Public Accounts in ye State of New Hampshire

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[7-28]

[Account of John Balch, post-rider, to Aug. 15, 1783. — Ed.]

[7-29] [*Certificate from Stephen Gorham*, 1783.]

State of N Hampshire Exeter 10th Septemr 1783.

This Certifies that by a Return from the Treasury of the United States dated 22d August 1782. It appears that Nicholas Gilman Esq (then) Loan Office, of the State of New Hampshire transmitted to the Treasury the sum of Two Million two hundred Ninety Nine thousand seven hundred and Sixty nine dollars —

Stephen Gorham Commissioner

[7-30] [*John Prentice to Speaker Dudley*, 1783.]

Londonderry 3rd November 1783 —

The Honble John Dudley Esqr Speaker of the House of Representatives — Sir I Just recd the Inclosed Notification informing that the Petition of the Hone General Sullivan respecting Ebenezer Hogg is to be heard on Wednesday next I would inform the Honble Assembly that the said Hogg attended all the last Week or on the Day appointed — is now gone to Rhode Island & Cannot be notified — I am

obliged to attend the Supreme Court at Salem in the County of Essex & Cannot attend your Hon[rs] Wherefore in his behalf beg your Hon[rs] to postpone the hearing to some future Day that Hogg himself may be present & have a fair Trial from your most obedient humble Servant John Prentice

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[7–31] [*Precepts for Representatives*, 1783.]

State of New Hamps[r] } In House of Representatives Dec[r] 30[th] 1783 —

Voted that Precepts be Issued to the Several Towns & places in this State for the purpose of Calling Representatives Agreeably to the New Constitution

(viz) Representatives

To Portsmouth for Three
Newington & Greenland } One
New Castle & Rye } One
North Hampton — one
Hampton falls & Seabrook } One
Stratham — One
Exeter — One
Kensington — One
Hampton — One
South Hampton & East Kingstown } One
Kingstown — One
Brentwood — One
Epping — One
New Markett — One
Nottingham — One
Deerfield — One
Chichester Epsom & Allenstown } — One

Dover — One
Durham — One

Northwood & Pittsfield } — One
Canterbury & Northfield — } One
Loudon — One
Concord — One
Pembroke — One
Chester — One
Candia — One
Raymond & Poplin } — One
Hawke & Sandown } — One
Hampstead —
Plastow & Atkinson } One
Newton —
Salem — One
Londonderry for Two
Windham —
Pelham — One

Nottingham West — One
Litchfield —
Derryfield —
Dunstable — One

Summersworth — One
Rochester — One
Barrington — One
Sanborntown — One
Gilmantown — wne
Lee — One
Madbury —
Merridith & New Hampton — One
Sandwich & Tamworth — One
Moultonborough, Tuftonborough, Wolfborough- & Ossipee Gore- — One
New Durham, New Durham Gore & Barnstead — One
Wakefield, Middletwon & Effingham — One
Conway, Eaton, Burton & Locations — One

Henniker — Hillsborough — One
New Bradford —
New Boston — One
Francistown —
Weare — One
Hopkinton — One
Dunbarton & Bow — — One
Salisbury — One
Boscawen —
Fisherfield, Perrystown & Warner — One
New London, Andover — & Gore — — One

Merrimac & Bedford — One
Goffstown — One
Hollis — One
Amherst — One
Raby & Mason — One
New Ipswich — One
Duxbury & Mile Slip —
Wilton — One
Lyndsborough — One
Temple & Peterborough Slip —
Peterborough & Society land — One
Hancock, Antrim & Dearing — One

Charlestown — One
Alstead — One
Keene — One
Swanzey — One
Richmond — One
Jeffery — One
Winchester — One
Westmoreland — One
Chesterfield — One
Rindge —
Walpole — One
Clairmont — One
Cornish & Grantham — One
Newport & Croydon — — One
Windal & Unity —
Acworth, Lemster & Marlow — One
Surry —
Gilsom —

Plainfield — One
New Holderness, Campton, Thornton & Lincoln, Franconia — One
Plymouth, Rumney —, Wentworth — One
Newchester, Alexandria & Cockermouth — One
Belhan Alias Enfield, Canaan —, Cardigan —, Dorchester —, & Grafton — One
Hanover — One
Lebanon — One
Lime & Orford — One
Piermont, Haverhill, Warren & Coventry — One
Stoddard & Washington — One
Dublin & Packersfield — One
Marlboroug & Fitzwilliam —, Protectworth —, Hinsdale — One

Bath —, Lyman —, Landaff —, Gunthwait —, Apthrop —, Lancaster —, Northumberland, Stratford —, Dartmouth —, Cockburne —, Colburne — One

Sent up for Concurrence
John Dudley Speaker

In Council the same day read & Concurrd
E Thompson Sᶜʸ

[7-32]

[*Nominations for Sheriff and Judges in Grafton County.*]

Nomination for Judges of the Inferior Cort in the County of Grafton by us, Representatives for sᵈ County Viz

Elisha Payne Esqʳ 1ᵗ
Samˡ Emerson Esqʳ 2ᵈ
Jonᵃ Child
John Young
Timᵒ Bedel
Beeza Woodward Esqʳ 3
Davenport Phelps Esqʳ 4
William Ayer
Rusˡ Freeman

Nomination for Sheriff of sᵈ County of Grafton Timᵒ Bedel Esqʳ Haverhill

Jonᵃ Child
John Young
Elisha Payne
R. Freeman
William Ayer

[7-33] [*Nominations for Cheshire County.*]

The Representatives for the County of Cheshire met together and Nominated the following Persons for Civell Officers for S^{d} County if His Excellency and the Honourb^{le} Councell See fit to appoint them, VZ —

Judges for the Court in S^{d} County as follows

the Honb^{e} Semion Olcut Esq of Charleston Honb^{e} Sam^{ll} Ashley Esq Claremont

Honb^{l} Benj^{a} Bellows Esq Walpole & William Haywood Esqr Charleston

Sam^{ll} Hunt Esq. Sheriff Charleston

Thomas Sparhawk Esq. Judge probate Walpole

Calven Frink Esq Regester Probate Swanzey

Joseph Bort westmorland George Kimball Charleston

Isaac Hammond Swanzey Silas wright

& Daniel Chase Concord for S^{d} County & also Moses Smith Jun. Coronor

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[7-34] [*Recommendations for Cheshire County Judges.*]

To his excelency the Governor and Council for the State of New Hampshire

Whereas the Justices of the peace within and for the County of Cheshire, have ben informed, that the Chief Justice of the Court of Common Pleas for said County and one of the side Judges, have resigned their Offices therefor We the Subscribers, have thought fit to recommend, the Honourable Sanford Kingsbury for Chief Justice of the Court of Common Pleas, for said County, And Frances Smith Nathaniel Sartal Printice and Lemuel Holmes as assistant Judges ; Said Kingsbury is recommended for Chief Justice by the request of Mr Smith.

Wm Ripley	Silas Mack	Roswell Hubbard
Elihu Stevens	James Wellman	James Egerton
Daniel Grout	Ambrose Cossit	Stephen Powers
Elijah Frink	Josiah Stevens	Elijah Grout
Thos Penniman		

[7-35] [*Credentials of Marbois and L'Etombe.*]

By the United States in Congress assembled. —

It is hereby made known, to all whom it may concern, that full Credence & Respect are to be paid to the Sieur de Marbois Councellor to Parliament, as Consul of France for the States of Pensylvania and Deleware and Consul General for the thirteen United States of America.

Which States are called upon respectively, by virtue of the powers delegated by the Confederation, to the United States in Congress assembled, to furnish the said Sieur de Marbois with their exequator or notification of his quality, delivering one copy thereof to the said Sieur de Marbois and causing another to be published in one or more gazettes. —

Done at Annapolis this eleventh day of February in the year of our Lord one thousand seven hundred & eighty four and of our Sovereignty & Independence the Eighth. —

By the United States in Congress assembled

Chas Thompson Sec^{y} Thomas Mifflin

Entered and Recorded ℔ Joseph Pearson D Sec^{y}

By the United States in Congress assembled.

It is hereby made known, to all whem it may concern, that full credence and respect are to be paid to the Sieur de L. Etombe as Consul of France for the States of New Hampshire, Massachusetts and Rhode Island —

Which States are called upon respectively, by virtue of the Powers delegated by the Confederation to the United States in Congress assembled, to furnish the said Sieur L. Etombe with their Exequator or notification of his quality delivering one copy thereof to the said Sieur L. Etombe and causing another to be published in one or more gazettes —

Done at Annapolis this eleventh day of february in the year of our Lord one thousand seven hundred and eighty four and of our Sovereignty and Independence the Eighth. —

By the United States in Congress Assembled.

Chas Thompson Sec^{y} Thomas Mifflin

Entered and Recorded ℔ Joseph Pearson D Sec^{y}

[7-36]

[*Commission of Monsieur Toscan as Vice-Consul at Portsmouth.*]

[Translated from the French by Otis G. Hammond.]

Commission of Monsieur Toscan as Vice Consul at Portsmouth in New Hampshire.

This day, the twenty fourth of August one thousand seven hundred and eighty three, the King being at Versailles, wishing to provide for a Vice Consulate at Portsmouth in New Hampshire, and desiring favourably to treat Monsieur Toscan, by the good accounts of his zeal and ability which have been rendered to His Majesty, has appointed and established him Vice Consul at Portsmouth subordinate to the Consulate of the States of Massachusetts, New Hampshire and Rhode Island, to protect his subjects who are engaged in commerce to the said place and to fulfill the functions assigned to Vice Consuls; His Majesty intending that he may enjoy the honors, authorities and prerogatives pertaining thereto, and the appointments which thereunto belong — His Majesty enjoins the sailors, traders and others of his subjects to recognize Monsieur Toscan in the said capacity of Vice Consul at Portsmouth — His Majesty orders Monsieur de L. Etombe, Consul for the States of Massachusetts, New Hampshire and Rhode Island to cause the notification to be executed, and to register in the Chancellor's office a copy of this commission, which he has signed with his own hand, and caused to be countersigned by my councillor in all his councills, the Minister and Private Secretary of State and the Financier.

Louis

C M^{l} C Chartries

Entered & Recorded ℔ Joseph Pearson D Se^{ry}

[*Monsieur Toscan's Credentials.*]

By the United States in Congress assembled,

It is hereby made known, to all whom it may concern, that full credence and respect are to be paid to the Sieur Toscan as Vice Consul of France at Portsmouth in the State of New Hampshire; which State is called upon by virtue of the powers delegated by the Confederation to the United States in Congress assembled to furnish the said Sieur Toscan with their exequator or notification of his quality, delivering one copy thereof to the said Sieur Toscan and causing another to be published in one or more gazettes —

Done at Annapolis this eleventh day of February in the year of our Lord one thousand seven hundred and eighty four and of our Sovereignty and Independence the eighth.

By the United States in Congress assembled

Chas Thompson Secy Thomas Mifflin.

Entred and Recorded ℔ Joseph Pearson Dep Secy

[7–37]

[*Commissions to Abiel Foster and Pierce Long as Delegates to Congress.*]

The Sovereign and Independent State of New Hampshire,

To the Honorable Abiel Foster Esquire, Greeting:

We the said State, reposing special Trust and Confidence in your wisdom, virtue & fidelity, do, by these presents, constitute and appoint you the said Abiel Foster Esquire a Delegate to represent this State in Congress untill the first Monday in November next, agreeable to the rules and regulations established by law.

And we do hereby vest in you all the powers, authorities, rights and privileges appertaining or belonging to this your appointment: you governing yourself from time to time agreeable to such orders as shall be transmitted to you by authority of our General Court.

Witness Meshech Weare Esquire, our President and Commander in Chief in and over the said State, as given under his hand and the great Seal of the State this day of Anno Domini 1784 and in the ninth year of our Independence. M Weare

By His Excellencys Command

Joseph Pearson Dep. Secy

S. Ap

[On the reverse, in the same form and under the same date, is a like commission to Pierce Long Esquire. — Ed.]

[7–38] [*Jonathan Child to Meshech Weare*, 1784.]

Lime 27th of March 1784

Respected Sir

I am made acquainted by Capt Green that the receipts I gave the Collecttors of the Several Towns in the county of Grafton in Oct 1780

by your order were matter of lenghthy altercation in the assembly the last Sesions but were finally allowed by them but nonconcurr^{d} by the council the reasons given I understand were that I had not Settled my acc^{ts} your honour will remember the letter you Sent me dated Janu^{r} 27th 1781 desireing me without loss of Time to repare to Exetor in order to Settle my accounts as commisary or the State would be in danger of loosing there amount, I without the least unnesesary delay through much difficulty & Expence waited on the assembly & council with my accounts and proper receipts from Mr Emery that he had reciv'd proper receipt of Purchases and Delivery the whole amount of what I wanted Settled also a Schedule of the money, I had reciv'd with the collecters names the Sum receiv'd & the Towns name they belonged to after I had bin detain'd about a weak at my own exspence I was dismis'd without aney thing done on the matter with this Exscuse that I could not be Settled with for want of my receipts as it was not cartain but I might have receiv'd more money than I had credited to the Towns now the Towns cannot be credited by my receipts untill I am Settled with. I know not what to do I know it is impossible for me to be Settled with untill my receipts are accepted and receiv'd therefore to make another Jorney untill that is done will be as fruitless as the former I persued your orders with the greatest attention and exactness that my abillities would admit of but why this conduct in the council is to me very Surprising I have bin ever Ready for Settlement only waiting to know that my receipts were in the Tresury untill that is done things must remain in the presant unhappy Situation thus I have stated the facts as they really are I understand I am much blamed in the case but I am happy to know for my Self that it is a groundless charge and I think every one who candidly views the cause will exscuse me from blame and place it where it belongs am Sir with the greatest respect your honours Most Ob^{t} Hum^{le} Servant Jon^{a} Child

P S I Send the Schedule of the recipt flattering my Self that the matter will be determin'd this Sessions

M Weare Esqr

[7-39]

[List of States complying with the act of Congress of April 30, 1784. — Ed.]

[7-40]

[Copy of the ratification of the definitive treaty on the part of Great Britain, exchanged with that on the part of the United States, May 12, 1784. — Ed.]

[7-41] [*Petition to Tax Non-Resident Proprietors*, 1784.]

To the Hon[l] the Senate and House of Representatives of the State of New Hampshire now siting at Concord June 8[th] 1784

the Petition of the subscriber in behalf of the Towns of Bath Lymon Landaff Concord alies Gunthwaite Apthorp Lancaster Northumberland Stratford Dartmouth Cockburn and Colburn — in the County of Grafton and State aforesaid — Humbly Sheweth

That at the commencement of the Late war, the said Towns by reason of many Imbarrasments had but few settlements, and that the most of the Inhabitants were under very low circumstances, Notwithstanding they were willing to do their proportion in Defending themselves & Cuntry against the Common Enemy, that they have undoubtedly actually Done at least as much as any Part of the State according to their ability — in Defending as aforesaid

that they have never had any settlement with the State for the same, and it seems to be Impossable to Come to any accurate settlement therefor, that under Every surcomstance of affairs, your Petitioner Conceives that inasmuch as the greatest Part of the Lands in s[d] Towns are owned by Nonresidants, a great part of which Live out of this State — if a Ballance was struck Between the State and the Inhabitants as far as it Respects the inhabitants aforesaid, untill the first Day of Jan[y] 1784 — and that they have Liberty to tax the Nonresidant Proprietors and owners of Lands in the Towns aforesaid for any sum that may appear (under Every surcomstance) to be Due, it would be very Just and likely to be attended with good Consequences —

Your Petitioner would therefore pray your Honours to take the matter under Consideration and Make such order thereon as your Honours in your wisdom think Just, and your Petitioner will Ever pray &c J Young

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[7-42-3-4]

[Commissions to administer oaths, made out to the following persons: throughout the State, John M[c]Clary, Francis Blood, Joseph Badger, Nathaniel Peabody, and Moses Chase. Rockingham County,

Josiah Bartlett, John McClary, Samuel Penhallow, and George Atkinson. Strafford County, John Wentworth, John Plummer, Joseph Badger, and Ebenezer Smith. Hillsborough County, Matthew Thornton, Samuel Dana, Jeremiah Page, and Robert McGregore. Cheshire County, Benjamin Bellows, Simeon Olcott, Benjamin Hall, and Daniel Newcomb. Grafton County, Samuel Livermore, Charles Johnston, Samuel Emerson, Moses Dow, Elisha Payne, and Bezaleel Woodward. — ED.]

[7-45]

[*Memorial from the Committee for Adjusting Accounts.*]

A Memorial of the Committee for adjusting the Accounts between the State of New Hampshire & the United States, beg leave to acquaint your Excellency & Honors That several difficulties arise in settling the said Acct^s

1 What time the Interest on Sums advanced by Congress shall be reckoned, whether at the time the Order Issued from the Treasury at Philadelphia or at the time it was received of the Loan Officer in this State.

2 Whether the money advanced by the State, sent to Genl Schuyler, in hard money shall be charged at the time it was received out of the Treasury and the Interest cast accordingly

[The above Article 2 has a line drawn through it, and is marked "allowed." — ED.]

3^d Whether the Depreciation made up to our Officers & Soldiers shall be charged yearly from 1777, 1778 & 1779 as by a resolve of Congress of June 1783 it is order'd that Interest shall be charged from the time of payment, the Committee suppose that the State ought to be Credited for Service performed at the time of Service & Interest after. —

4th That the Baggage Horses in the several Marches from the several Towns in the Western part of the State on the Alarms from Tyconderoga in 1777 are not allowed by the Commissioner in full — as he thinks they ought to be calculated by the Resolves of Congress for Regimental Waggons, whereas the Troops marched through a Country where Waggons could not be employed, to advantage — the difference between the different method of settlement being a Considerable Sum —

5th. Horses for the Volunteers to Rhode Island charged in the Rolls at 10£ per man, not allowed by the Commissioner — on the

same principle as above, the Regimental Waggons should, only, be allowed.

6. That the Committee were authorized by a Resolve of the General Court, to call in such assistance as they should think proper to compleat the above Accounts, they wish to know how & what price said assistants shall be allowed and paid —

7th Horses to Volunteers to Saratoga, when General Burgoyne in 1777. The Horses allowed on settlement by the General Court were reduced to about 7 Men, tho' each man (almost) was provided with a Horse — this the commissioner proposes to settle on the General proportion of Baggage Waggons —

All which is humbly Submitted by —

Joseph Gilman in behalf of the Committee.

Exeter July 28, 1784.

[7-46]

[*Petition for Road from Merrimack to Connecticut River.*]

To his Excellency the President, the Senate and House of Representatives in general assembly, to be holden at Portsmouth on the third wednesday of october instant.

The petition of the subscribers inhabitants in said state humbly shews that the communication and traveling between the western part of the state and the ports & market towns in the eastern part is greatly impedied and prevented, for want of a good and passable road from merrimack river, to connecticut river, at or near Dartmouth College — being about the center of the state north and south; and that the inhabitants in the several towns through which the roads now go from principles of interest and convenience to themselves only lay out the roads in such manner and way as that the publick are greatly injured thereby which inconvenience will not be remedied unless a disinterested committee should lay out said road: and your Honrs petitioners would further observe that in case a proper road was layed out for the purpose aforesaid and made convenient for passing, that the trade and commerce in the state would be greatly increased and other valuable and salutary purposes answered thereby. We therefore humbly pray your Honrs to appoint a judicious and disinterested committee to lay out a good waggon road or publick highway begining at the publick road in Boscawen (called the river road) and from thence in the most convenient and direct way to connecticut river at or near Dartmouth College having respect in laying said

road both to publick & private interest and vested with power to estimate and apprize the damage that may accrue by laying said road to any particular person or persons if any there should be in the opinion of said committee considering the advantage and disadvantage arise-ing thereby And that upon a proper return and survey of said road being made that the several towns or proprietors through which said road shall be layed be at the expence and cost of clearing and making the same conveniently good and passable for teeming and traveling —and your petitioners as in duty bound shall ever pray. Dated October 15th 1784

J Wheelock
Ebenr Brewster
Abel Wright
Elisha Payne Junr
Habk Turner
Dyer Willes
Aaron Stores
Saml Mcluer
Darius Dewey
Daniel Gould
Benj Plumley
Jn Lewis
Jeriah Trescott
Ebenezer Fitch
Elijah Huntington
Silvanus Ripley
B Woodward
Joseph Lamb
Daniel Smally
Danl Porter
Nathan Cobb
Benjm Coult
Asa Holden
Moses Brigham
George Eager
Daniel Clapp
Joseph Lee

Benjn Coult 2d
Eleaz : Wheelock
James Wheelock
Daniel Tiffany
James Eddy
Joel Tiffany
Nicholas Gilman
Lemuel Holt
David Eaton
Thadeus White
Luther Lincoln
Josiah Snow Junr
Selah Alvard
Joshua Woodward
John Payne
Park Smith
Enos Kellog
Edward Smith
John Walbrdge
Adam Rice
Ezra Carpenter
Benoni Dewey
Jabez Bingham
Nathel Brown
Zenes Colman
John Crane

James Murch
Joshua Cusman
Dan Shaw
David Chandler
Elezer Hill
Isaac Barron
Thaddeus White Junr
John Smith
Gideon Tiffany
Jona Child
Wm Child
Nath : Adams
Rufus Baldwin
Azariah Bliss
Stephen Bliss
Wm Dana
Ebenezer Bliss
John Sharp
Edmd Freeman
Thomas Bingham
Jonathan Sprague
Th° Martin
Mark Hs Wentworth
Ichabod Nichols
John Peirce
Jeremiah Libbey

[7-47] [*Joseph Gilman to President Weare*, 1784.]

Exeter Octo^{r} 19th 1784

Sir Stephen Gorham Esq^{e} Commission from Congress for settling the Accounts between the United States & the State of New Hampshire, not thinking himself authorized to allow some of the Charges made by the Committee appointed by this State, (either by his Instructions or Resolves of Congress), the Committee think it their duty to lay the same before your Excellency — The Charges referred to are Bounties or additional Wages paid to General Starks Brigade in the year 1777. —

Pay allowed Volunteers to Rhode Island in the year 1778, for their Horses —

Interest charg'd on depreciation paid the Continental Troops in the years 1777 & 1778, which Interest, the Committee are of opinion ought to commence at the end of said Years, instead of which the Commissioner insists, that Interest on those years service ought not to commence till the beginning of the year 1780, the time when depreciation was ordered to be made up.

In behalf of the Committee, I am your Excellency's most obedient Servant Joseph Gilman

To His Excellency
M. Weare Esqr President.

[7-48] [*Letter from Loan-Officer Gilman*, 1784.]

Continental Loan Office
State of New Hampshire } Exeter Octr 20th 1784

Sir By a Resolve of the General Court of the 7th Novr 1783 the Cont^{l} Loan Officer in this State (for the time being) is Directed "to Issue Certificates for the payment of Monies Loaned at his Office & owned by the Citizens of this State computing the same for as many full years as may be due on each respective Certificate prior to the 28th Day of February 1783, first Liquidating the Interest due on those securities by the Cont^{le} Scale of Depreciation — and by an Act of the General Court passed June 11th 1784 the Loan Officer is directed to issue Certificates for the Interest due on all Monies Loaned at said Office in this State, belonging to the Inhabitants thereof calculating the Interest due on said Loan Office Certificates until the 28th Day of Feby last according to the Conl^{le} Scale of Depreciation. —

The United States in Congress by their Act of the 15th of January 1784 Resolved that the Interest which has or may become due on Loan Office Certificates bearing Date between the first Day of September 1777. & the first Day of March 1778 is not is not Subjected to any Depreciation" and by another Act of Congress of the 28th April 1784, It is (among other things) Resolved "That the Holders of Loan Office Certificates shall be at liberty to carry them to the Office from which they Issued and the Holders of Certificates of other Liquidated Debts to cary the same to the Loan Office of that State wherein the Debt was Contracted and to have the Interest due thereon Settled and Certified to the last Day of the Year 1782. for which Interest the Loan Officer shall give a Certificate in such form & under such Cautions & Instructions as the Superintendent of Finance shall transmit to him"— It will be readily perceived that these Resolutions of the General Court & those of Congress cannot both be complied with, by the first provision is made only for those Loan Office Certificates which are Owned by the Inhabitants of this State & the Interest of Certificates Issued between the first Day of Septr 1777 & the first Day of March 1778, are subjected to the Scale of Depreciation — By the Resolutions of Congress no distinction is made between Certificates whether owned by Inhabitants of this State or not; the holders of Certificates of other Liquidated Debts are intitled to Interest, & the Interest on Loan Office Certificates Issued between the first of Septr 1777 & the first of March 1778 are not subjected to Depreciation. —

I would not presume to Dictate in this matter but, (perhaps) it might be best the Resolutions before mentioned should be so far altered as that the Loan Officer should follow the Directions of the United States (as this appears to be the intention by the Original institution of those Offices and is the case in all other States as far as I am informed) excepting as to the time to which Interest shall be paid as many persons have already Receiv'd pay up to the time affixed by the State. It might be attended with difficulty to Refuse those who are yet behind —

I inclose your Excellency a Letter which I lately Reciev'd from the Superintendant of Finance to which I have delayed giving an answer untill I am informed whether the Honble Court make any alterations in their Resolutions or not. —

with the greatest Respect I have the Honor to be
Your Excellency's most Obedt servt
Nat. Gilman

His Excellency Meshech Weare Esqr

[7–49] [*Elisha Payne Accepts Election to Congress.*]

State of New Hampshire — Portsmouth 8th Novr 1784

Sir by your Excellency's direction am informed, that the Honble Legislature of this State have ben plesed to Honr Me with an appointment of one of the Deligates to Represent this State in Congress, for which I beg leive to present them My Most gratefull and sincere acknowledgments —

from a consciousness of My inability to serve, and other imbarisments in the way, could redily excuse Myself from undertaking: and only from a consideration of the importence of the States being represented in Congress, and the dificalty of obtaining it by Gentln of More distinguished abilitys, am persuaded by any Meens to accept of the appointment. —

Relying on the candor and kinde assistance of the Citizens of the State, whom I have the Honr to represent, with difidence do undertake to discharge the important Trusts, so far as My previous engagements and unequal ability will admit of —

with due regards am Sir Your Excellency'
Most obedient and very Humble Servt
Elisha Payne

His Excellency Mh Weare Esquire

[7–50]

[*Extract of Letter From Adams, Franklin, and Jefferson,* 1784.]

Extract of a Letter from the Honble John Adams, Benjamin Franklin & Thomas Jefferson dated at Paris November 11th 1784.

"A Letter received from the Count de Vergennes & another from Monsr Grand to Doctor Franklin of which No 21 & 22 are Copies give us reason to apprehend an uneasiness in this Court lest we should fail not only in the punctual payment of the interest on their particular Loans, but should permit the payment on the Dutch Loan which this Court guarantied, to fall in the first instance upon them. This circumstance under the present probability of a War in Europe might be really inconvenient to them and give unfavourable ideas of the sense we entertain of their past favours. Congress will know whether measures have been taken to make timely payments here, and they can best judge of what exertions the States are capable for reducing their foreign debt even faster than their stipulations require. A hearty disposition in the people goes far towards making them equal to whatever it is their duty and interest to do; and we cannot

help supposing that if our Countrymen would boldly look that part of their foreign Debt in the face, which they have a right to discharge, if they would view it and view themselves they would find they could master it, perhaps with a single effort. Of this we can assure them that nothing would produce such a revolution in the opinion entertained in Europe of their powers, of their justice and of the tone of their Government. If a reputation for equity and gratitude, if a demonstration of our resources and of our resolution, if the subjection of the riches of Europe to our wishes on any future emergency may be bought at half a Guinea a head cannot our Countrymen be roused to make the purchase? Add to this that it would command for us a respect which might save us in the end millions of money and torrents of blood. Congress we hope will pardon us these reflections — we are on a field where every circumstance tends of produce them. Our instruction as to a gratification and indemnification to John Baptist Pequet has not yet been complied with — Mr Grand's Letter will assign the reason —

The honor of our Country as well as our own feelings will not permit us to pass unnoticed that we are now depending for daily subsistance on the bounty of a Subject of this Kingdom: A bounty which he tells us in his Letter "qu'il sera forcé mettre des bornes" (he will be forced to set bounds)". We trust that Congress will be so good as to order us effectual and instantaneous relief from this situation —

[7-51] [*Recommendations for Officers of a Regiment.*]

State of New Hampshire } To his Excellency and the Honoura-
Westmorland Novr 23^d^ 1784 } ble Councill of S^d^ State Sirs Wee the Subscribers understanding your honours for the wellfair of the State would wish to have the Best Inteligence from the Several Remote parts of the State who is Best Qualified & will give the best Sattisfaction to the Community for Officers in the New arandgment we therefore wish to be Indulg^d^ to Inform your Honours of our Opinions Respecting a New Regiment Taken off the Sixth Regi^t^ Now Consisting of Chesterfield Westmorland Surry and Hindsdale Wee therefore after Due Consideration for the Pollicy of the State the peace and Sattisfaction of the Regi^t^ in General and by What we Can find out for the Sattisfaction of the persons hearafter named would Wish to Recommend to your Honours the Following persons for Field Officers Viz Co^lo^ Saml King of Chesterfield Commander Capt George Aldrich of Westmorland Lt Co^lo^ Capt Joseph Burt of

Westmorland First Maj[r] and Cap[t] Johnathan Smith of Surry Second Maj all which we humbly Submit to your Excellency and Honours Wisdom not Doughting your herty Dissirs to Do Honour to the State & give Sattisfaction to the Subjects thereof Wee therefore Do beg Leve to Subscribe our Selves your most Obedient Humble Servants —

Cyrus Shattuck Samuel Comins	Selectmen for Hinsddale	William Hutchins John Doolittle	Selectmen for Westmorland
	Selectmen for Surry	Benj[a] Haskell Peter Stone Amos Hubburd	Selectmen for Chesterfield

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[7–52] [*Letter from De Marbois to Congress*, 1784.]

Note

The Chevalier de la Luzerne & since his departure the Undersigned Chargé des affaires of his Majesty have received frequent Orders to press the Officers Agents & other Accountants employed for the service of the Land & Sea forces on this Continent during the late war, to render their Accounts. These Agents and others delay rendering their Accounts for divers causes ; but most of them alledge *the difficulty they meet with in bringing to account the Agents or Correspondents in America whom they have employed. They add that when process is commenced for settling the Accounts between them and the Americans, the latter avail themselves of the slowness in the usual forms of Justice in order to gain time, and fatigue their adversaries with all sorts of delays, until their affairs indispensibly call them to France & force them to submit to an unjust accommodation* —

Whatever may be the grounds of these allegations the Undersigned has the honor to inform Congress that the French Agents employed on this Continent by refusing to render their Accounts put it out of the power of the Treasurers General of the Departments of War & Marine to settle theirs, and of consequence that the distribution of prizes cannot be made to the Officers & Seamen of the different Squadrons. To remove every pretext or excuse from the Agents, the Undersigned entreats that Congress would be pleased to consider, whether it might not be proper for them to recommend to the several States, the passing of Laws for determining in a summary way in their supreme Courts, the differences of this nature which exist, or may arise on Account of the Fleet and Army of his Majesty, during the late war. If Congress shall think proper to adopt this measure

the Undersigned entreats that they would be pleased not to delay the recommendation to the several States which are now assembled in their Legislative Capacity, and he considers this as the principal means of executing the orders which he has received not to admit of any farther delay of the Agents of the French Fleet and Army in rendering their Accounts —

Philadelphia 1st December 1784. (sign'd) De Marbois

(Copy)

[7-53] [*Joshua Wentworth to Ebenezer Thompson.*]

Portsmouth Decr 18th 1784

Sir, I receiv'd your favor of yesterday's date, Informing the Honor confer'd by His Excellency the President of this State & the Honble Council, by the Appointment as a General Officer in the Militia —

This Instance of their attention of so high a Promotion cannot fail of my most respectful acknowledgement of the Honor done me —

Yet Sir I must with regret beg of you to acquaint His Excellency & the Honble Council that I cannot accept the Command, being sensible of my inability to discharge the Necessary Duty, & the annual infirmity which attends me —

I remain with respectful Compliments to His Excellency & their Honours the Council

Sir, yr most obedient & very hl Servt

Josh. Wentworth

Honble Ebenenez Thompson Esq.

[7-54] [*A Fragment of Testimony.*]

Capt French brought in and examined, acknowledges his fault informed that Capt Stone was at his house last monday morning in told him that he was informed by Colo Peabody that the Genl Court had passed an Act granting Liberty to the Refugees to return to this State and that the state was going to purchase their Estates for them — He ye sd French further said that to the best of his remembrance the said Stone told him that Peabody said he had his Information from members of the Genl Court

Majr Cochran on examination said that he never was with the Convention party until Wednesday last that he has to Say in Justification of his conduct, that the people Assembled voted him an officer of the party and urged him until he accepted —

Capt McKean on examination said that he was not of the party that, he came into the Town Sometime before the party arrived. that he protested against their proceedings that Maj^{r} Batcheldor, John Gregg and Samuel Morrison were Evidences of his objecting against their Conduct — Evidence that he brought grogg to the guard at the east Door.

Henry Batcheldor on examination said that he had no though of insulting the Court when he came from home, but acknowledged that he was with the party but was not armed.

Capt Cochran on examination said that he had no knowledge that the party was going to offer any insult : that he rode into Town with the party only to make a larger appearance that the Genl Court might see who wanted redress of grievances. full evidence that he called for assistance when he was taken.

Ens^{n} Cotton on examination said that he had no kind of concern with the party in any way or manner. —

David Batcheldor on examination said that he was with the party but that they proceeded entirely contrary to his notion, for he was entirely against their bringing arms

full proof that he said that unless the Genl Court would grant their Petition he would Starve them till they would comply & much more

Wm Knowlton on examination said that he was foolishly drawn into a Scrape, and that he meant no injury to the Court

John Gregg on examination said that he was with the party that he came from home unarmed, but acknowledged that he armed himself by the way, and kept with the party and was active with them —

it was proved that he damn^{d} the Genl Court and said they were worse than the Refugees &c &c

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[7–55] [*Petition for Increase of Currency.*]

To the Honble the Council & House of Representatives in General Court conven^{d}, at Concord, State of New Hampshire —

The Petition of the Subscribers Inhabitants of said State humbly sheweth, —

That it is with real reluctance, and not with the Spirit of Ostentation, We now look up to your Honors, as the Guardians of our Rights, for the redress of Grievance — That we profess ourselves to be liege Subjects of the State to which We belong, — Fellow Citizens in the Cause of freedom & Mankind. That as such We are

ever willing to pay our just Debts when requir[d], and to live on terms of justice and equality with our Neighbors. — But that at present the Quantum of our circulating Medium is so small, especially in this part of the State, and the number of prosecutions so multiplied, that the whole Currency, it seems, scarcely pays the contingent charge of Law suits. That We humbly conceive our Burden to be insupportable, unless some remedy be speedily apply[d] for our Releif, similar to that adopted by the Legislature of Massachusetts, whereby Stock of various kinds, Farm produce, State Security &c are made a Tender in lieu of Silver & Gold, — or otherwise as your Honor shall see fit, — so that the honest Husbandman may not be under the fatal Necessity of reducing his innocent Offspring to beggary by the cruel process of Executions & Vendues! — We earnestly, & with filial respect, implore redress; — & your Petitioners, as in duty bound, shall ever pray. —

Noah Johnson	Paul Wells	Peter Mayhew
david Nage	Moses French	John Jones
William Presson	Thomas Boynton	Nathan Davis
Benjamin Wells	Peter Stearns	thomas Ramsey
Peter grene	Daniel Webster	David Craig
Ebben Bery	David Lade	Winthrop Wells
Joseph omoa	Joseph Senter	Timothy Ingalls
thomas m[c]Cluer	Josiah Brown	Jonathan Robbins
Daniel Wheeler	Jonathan Crawford	Epraim Keys
Stephen Webster	Benj[n] Goold	Benjamin Rise

[7–56] [*Sale of Excise on Spirituous Liquors*, 1785.]

Sir This may certify, that at a Public Vendue holden at the dwelling house of Cap[t] Amos Fisk Inn-holder in Haverhill in the County of Grafton, on tuesday the twenty fifth day of January instant. The Excise on Spirituous Liquors in said County, for the Term of one Year, commencing the first day of October last, was bid off to Ebenezer Green of Lime in said County Esquire, for the sum of Eighty pounds lawful money, and he has given a bond with two sufficient Securities — Freeholders & Inhabitants of said County — Conditioned for the faithful payment of said sum

Dated Haverhill 25[th] Jan[y] 1785 ℔ Timothy Bedel, Charles Johnston, Moses Dow } Committee

His Excellency Meshech Weare Esquire President —

[7–57]

[*Petition in Favor of Colonel David Webster of Plymouth.*]

To his Excellency the President and the Honble the Council of the State of New Hampshire

The Petition of the subscribers in the County of Grafton — humbly Sheweth

That whereas Col^{l} David Webster of Plymouth was appointed Sheriff for said County in a critical Period of political affairs, & has executed said office, with Fidelity to his Country, & to this State in particular, — as well as to very general approbation of the Inhabitants of said County of Grafton: — that by the disposition of his affairs to serve the public in this capacity it would be detrimental to his Interest, & unless the public good plainly pointed the preference of some other to succeed him it would appear implicit inattention to the merit of said Webster's good behavior, to be neglected now: — that it would tend to embarass the settlement of affairs commited to him, & in part executed, & make much additional Cost, under which the County already groans, to have said affairs committed to another for further execution: — that it is very improbable if any other, not so firmly attached to the American Cause should be appointed to succeed him, that it would give so general satisfaction as said Webster has done —

We therefore pray your Excellency & Honors that said David Webster may be appointed Sheriff for said County of Grafton, & we shall as in duty bound ever pray &c

January 28th 1785 —

Moses Baker	Abel Willey	William Baker
Jabez Church	Jared Church	Timothy Ingalls
Gershom Burbank	John Clark	John Foss
Abel Willey	Elias Cheney	wiliam alliot
John Southmayd	Oliver Tayler	Francis Worcstor
Nathaniel Dupper	Moody Cook	Josiah Brown
Samuel Holmes	Jonah Chapman	Samuel Stearns Junr
Edmund Marsh	Janathan Cone	Josiah Brown Jr
William Page Junr	Cutting Cook	J. Robbins
John Holmes	Hobart Spencer	Carr Huse
Uriah Foss		

[7–58] [*Letter from John Sullivan to the Senate*, 1785.]

Durham February 14th 1785

To the honorable the Senate of the State of New Hampshire —

Gentlemen, I understand that the Committees Report in my favor, at the last Session, was postponed; upon some persons suggesting that the former Committe had allowed me more than a dollar per day, for my services in Congress in the years 1780 & 1781. In order to remove this difficulty I inclose you a Certificate, to prove what every member of the Committee must know; & what was openly reported in the House at the time (myself being present.) The members of the House were much incensed, & ordered the Report to be recommitted: and lest it should be suggested, that the second Committee allowed more; your own Records will prove that the Second Committee (consisting indeed of nearly the same persons) reported less than the former —

I am convinced that there is not a person on Earth, that can Seriously say, that one Dollar per Day is Sufficent for my Loss of time, and the fatigue, and trouble, I had in the Service, and I should be exceedingly grieved if it could be believed, that I deserved less than those who served with me & after me: I am willing to allow their Talents Superior to mine, but they could not have the same or even an equal burthen — The Journal of Congress will show that I had the burthen in all affairs which respected the Army, you know yourselves that I had alone to oppose New York in its Claim to Vermont — you have allowed the others five Dollars a Day I have offered to receive the same, & make a deduction in favor of the state of two hundred Dollars; although every person must know that five hard Dollars will purchase more at this Day than it would at that time; now if the present Report is rejected can any possible reasons be assigned for refusing my other offer?

I am perswaded that those who have been uniform in their opposition to my claim, only expect that they will eventually drive me to the necessity of appealing to the public; & thereby oblige me to render myself obnoxious to the Legislature: but in this they will find themselves mistaken; for although I have procured all the materials for a publication and only waited for the decision of the assembly at this Session I only mean to state facts as they really are and by pointing out the Conduct of one or two Individuals acquit both branches of the Legislature from voluntary Injustice — I have been exceedingly surprised to hear that it has been whispered in the Senate that Congress presented me with thirty pounds for my Expeces in securing the Arms and Artillery at Fort William & Mary; when others expended more money than I did in getting them secured; If

I was even to allow this to be true, it would hardly excuse the state for not doing me Justice because Congress had done me more than Justice —

But the fact is otherwise the taking the Artillery &c was incidently mentioned in my Letter to Congress claiming my allowance for expences in seperate Departments, my Letter was refered to a Committee who reported twelve hundred Dollars for that & one hundred Dollars for my trouble and expence in taking the Cannon &ce ; I immediately opposed it, & solicited Judge Livermore to assist me ; I urged to Congress that as Forts had been dismantled in Rhode Island ; & many other places ; it would open a Door for new Demands ; & assured them that I had not the most distant view of receiving a farthing.

But the members said that as the allowance was so exceeding small they were determined to vote the whole in preference to sending out the Committee a second time — These facts Judge Livermore who I suppose is now on the spot can attest, so that all the allowance made me for a seperate Command in Canada, Chatham, princetown, Hanover, Rhode Island, and the Indian Country amounted to thirteen hundred Dollars which is a Little more than General Schuyler has Drawn every four months since the war commenced, for remaining at Home basking in the Sunshine of Ease, without an officer to dine with him, & very often without a Soldier to Command. — while we pay our proportion of expences to others, can it be called good policy to Look with Envy on the small pittance granted to those of our own state, & even endeaver to make it have an influence where it ought not. But if I was called upon I could easily prove that no man in New Hampshire spent the hundredth part so much as I did in Securing those stores, I paid every farthing of expense in the Evening at Tiltons, before the Company set off ; & the whole while we were at great Insland, myself, three Clerks, a hired man & team ; were several Days employd in cutting the Ice out of the River, getting up the Gundaloes & Depositing the stores ; during all this time my House was like an open Tavern ; & Even after that, when the plan was laid to Entrap me, & send me in the Scarborough to Great Britain ; I had great numbers of people coming & offer^{g} their services to defend me, & it can Scarcely be supposed that I sent them away hungering & Thirsting — any person who remembers the year 1775 must know that I was the object of British vengeance, that I was the first officer broke, & Even that the Convention of the state (sitting at Exeter) would not adopt the proceedure, or Justify the Act ; I readily allow that other Gentlemen were at the Expense of taking a hundred Barrell of powder, & that when we arrived at Portsmouth with the

Cannon &ce, the Gentlemen of that Town gave us a treat but I think the Gentleman who has been uniform in his opposition to my demand, never gave us any treat unless threatening us with a Halter may be called such ; I grant that other persons spent time and money, but whoever supposes that any other person spent the hundredth part as much as I did, must know but little of the proceedings. I however never claimed a Compensation nor was it by Congress granted as such. I am sorry that its being mentioned in the Senate Laid me under a necessity of removing the Influence which such a hint might have upon the minds of your honors —

Surely no person ought to Envy me the gains I have received from the public : I am the only officer in America that has received no depreciation, am Totally Cut off from the Commutation & have rested easy with the nominal sum in paper Bills ; although all the officers that served with me ; my own Aid de Camp & even my servants have Long since drawn their Depreciation, & for several years have been receiving the Interest. I know that this ought to have no weight in settling my Account but it will at least prove that Congress have not been over generous to me — I must beg your honors to pass upon my affair at this session, Either for or against me ; I have laid out of the whole more than three years as I have never yet taken a penny I think my Demand of two Dollars a day is reasonable & cannot but flatter myself that your honors will either grant it, or settle my Account in the other method proposed. I have the honor to be with the most perfect Consideration

Your honors most obedt Servant

Jn° Sullivan

The Honble Senate of New Hampshire —

[7-59] [*Petition of Treasurer Gilman for Increase of Salary.*]

Treasury Office }
New Hampshire } Concord Feby 23^d^ 1785

To the Honorable the Senate and House of Representatives, for the State of New Hampshire in General Court Convened.

Gentlemen On the 12th day of June 1783. I was Honored with an Appointment as Treasurer of the State, which Accepted in Expectation that I should have such Allowance made me as would Compensate for my services and the great Responsibility of office —

Some time in Novr 1783, a Grant was made of 180£ Expressed to be "for my service as Treasurer for the Term of One Year" this was such a sum as I thought very Inadequate & have never taken

the Order for, although I supposed that Vote was for my service & the Responsibility of Office, and that I should be allowed such sum In Addition thereto for Clerks, Office Hire, Firewood &c as should be thought Reasonable —

I have now before me a Vote of the Honorable Court allowing the sum of 240£ for my service use of office pay of Clerk and all other Charges whatsoever for the Current Year — This sum is not Equal to what I supposed was Intended for the last Year, for after I have paid for such Assistance as I have been Obliged to have in Order the have the Business well done, and have paid for Firewood &c I shall have a very small sum left for my Own services & the Responsibility of Office — as to the manner in which the Business is done I shall not say anything but leave it to those who are Conversant in the Office — I have a gratefull sense of the high Trust Reposed in me and am willing to Continue in the office provided I could have an allowance Adequate to my time and attention thereto & for Necessary Assistance and the great Risque which I have in Receiving and paying such large sums & for which I am Accountable — I am very sensible that I must depend on the allowance which the Honorable Court have or may see Cause to make me for my past services, but I cannot think of doing the business any longer for the sum proposed, and now Request that some other person may be Appointed to succeed me in office and that such directions may be given to a Final settlement of my Accounts as the Honorable Court may think proper —

with due Respect I have the Honor to be
Gentlemen Your most Obed^{t} serv^{t}
J. T. Gilman Treas^{r}

[7-60]

[Credentials from President Weare to the Swedish consul to America, Charles Hillstedt, March 19, 1785. — Ed.]

[7-61]

[*Taverns and Retailers Licensed in Strafford County.*]

Oct^{o} Term 1784 —
Taverns Licenced

Antipas Gilman Gilmantown
Joseph Plummer, John Cloutman } Rochester
Enoch Folsom, Asa Folsom, Richard Martin } Lee
John Blydenburg Durham
Micajah Purintun Dover

Peter Cushing } Rochester
Wentworth Twombly }
Ephraim Chamberlain — Gore
Jan[y] Term 1785 —
Jon[a] Ham — Rochester
Charles Hodgdon Barnstead
Simon Torr — Rochester
June Term 1785 —
Benj[n] Tripp Durham
Joshua Woodman Meridith
Noah Dow Gilmantown
Eliphalet Mace Moultonborough
John Goodwin Rochester
Henery Woods Eaton
John Weeks Lee
William White Lee
Stephen Wentworth Rochester
Thomas Shannon Dover
George Leighton Meridith
Jeremiah Folsom Durham
Silas Drew Barrington
Andrew Horn Sommersworth
Jonathan Gage Dover
William Harper Sandbontown
Miles Runnells Lee
Isaac Waldron Barrington
Retailers Licenced —
Amos Cogswell — Dover
Benj Colby Sandborntown
Maul Hanson Madbury
Jon[a] Drew Barrington
Nich[s] Hanson — Dover
John Hubbard Sandborntown
William Horn Dover
Benj Stevens Durham
Jan[y] Term 1785 —
Tho[s] Tash New Durham
John Bickford Barnstead
Sam[l] Hale Barrington
Howard Henderson Rochester
Joshua Merrow Rochester
June Term 1785
John Smith 3[d] Durham
Ezra Green Dover
Beard Plummer Rochester
Eben[r] Thompson Durham
Elijah Allen Wakefield
Theophilus Hardy Durham
James Smith Durham
Benj Burly Sandwich
W[m] Ballard Durham
Elijah Caitland Lee
W[m] Shannon Dover
Ichabod Tebbetts }
John B[m] Hanson }
Michael Reed } Dover
Sam[l] Bragg }
Benj Peirce }
John Kimball Meridith

[7-62] [*Report of Committee on Accounts*, 1785.]

The Committee to examine, how far the accounts with the Commissioner for the United States are proceeded toward a Settlement

Having convers'd with one of the present Committee appointed to the settlement of said accounts, and find they are in forwardness to a close — the reason of there not being compleated has arrisen on principles of large advances by this State to the United States which cou'd not be admitted by the Commissioner without further Instructions, and many other Obstacles, which render'd an adjustment im-

practacable, but very lately the Commissioner has receiv'd other Instructions which may obviate the Difficulty's

Therefore your Committee beg leave to report as their opinion, that the Committee already impowered, be continued, with Liberty to hire one or more Clerks to assist in the completion of a settlement with the Commissioner. And that the same Committee be impower'd to settle all such accounts that may be necessary for the settlement of accounts with the United States, and certify the same to the President & Councill for their concurrence, and on their approbation, the President give order for pay. or receiving ballances which may be found due — And there being many articles charged by this State to the United States, to which no value is affixed, that the said Committee be empowered to set a price on each & every such article, equitably between this State and the United States — And that the said Committee be fully impowered on the part and in behalf of this State to settle & close the accounts between this & the United States, and where doubts shall arise in cases not particularly provided for by Votes, Resolves or Acts of this State, that they apply to the President & Councill, and that they be impowered to direct therein —

Josh Wentworth for the Committee

State of
New Hamp^{r} } In the House of Representatives June 24th 1785 —

The foregoing Report having been read & considered — Voted that it be received and Accepted —

Sent up for Concurrence

Christo^{r} Toppan Speaker P. T —

In Senate the same day read & concurred

J Pearson D Sec^{y}

[7–63] [*Letter from Treasury Board at New York*, 1785.]

An Extract from a Letter (of July 21st 1785) Receiv'd from the Honorable Board of Treasury at New York. —

"Without immediate Exertions on the part of the several States, "the Union cannot subsist for the want of means to defray the ordi- "nary expence of the Civil Establishment."

"This, Sir, you may be assured is a lamentable Truth; the conse- "quences are too obvious and dreadful to enlarge on." —

"It would be so disgraceful in the several States not to raise Taxes

"sufficient to pay the Public Officers necessarily employed in settling "the Claims of their Respective Governments, and Citizens, that we "cannot persuade ourselves that the State of New Hampshire, would "chuse to be Ranked amongst the Delinquents."—

An extract from a Letter of Augt 1^{t}, 1785.

"The present State of the Finances calls for immediate exertions, "without Speedy and ample Relief, our Credit with Foreign Nations "must be destroyed and Union Endangered for want of means of de- "fraying the ordinary Charges of the Civil establishment" —

Nat. Gilman Commis^{n}
of the Cont^{l} L. Office.

[7-64] [*Letter from Stephen Gorham*, 1785.]

Exeter 1st September 1785 —

Gent^{n} I received your fav^{r} of the 13th of last month and have again applied to the Treasurer to furnish me with a more particular account of the moneys paid to the receiver of Continental Taxes — which is herewith enclosed — The State sometime past directed the Treasurer to pay Ten thousand dollars to the order of the late superintendant of Finance in consequence of which the receiver drew orders on the Treasurer to the amount of four thousand Six hundred and Seventy nine dollars 8/90 which orders I have seen. they are indorsed in full, but the money was paid at several different periods — and it is impossible to determine the precise time of each payment —

As to the State accounts I have made use of Every method in my power to have them forwarded, and I wrote the 1st January last to the superintendant of Finance, it is far from being my wish to protract the settlement, but the same difficulty exists that did then — which is that very little time, and attention is paid to the business by the committee —. If I should get the accounts from the State — I could easily arrange and enter them — but the difficulty is, I cannot get them. at the last session of the General Court, the President and Council were appointed in part, to Superintend the settlement from which I have great hopes, that something effectual will be done — As the dispatch of the business is of the utmost importance to the union, it will afford me great pleasure to be able to finish and close the accounts — without being hindred by unnecessary neglect and delays — and you may rely on my constant endeavours

for that purpose — Enclosed is a Register of certificates issued in the month of August —

(Copy) I have the Hon^{r} to be — &c —

Honble Board of Treasury signed Stephen Gorham

[7–65]

[*Petition to Make Real Estate a Legal Tender*, 1785.]

To the Honourable, Senators, and House of Representatives in General Court to be Conven^{d} at Concord on the third wednesday of October next,

May it Please your Honours

We your humble Petitioners, being Inhabitants of the State of New-Hampshire beg leave to lay before your Honours the distressed Scituation of the People in the upper part of this State, and permit us to be Humbly Importunate on the Subject.

The People in the late war have Contracted a large debt great part of the People Contracted the Debts they are now Distressed for to Support the war, and many have lent the Publick large Sums of Money in order to carry on the late war to Effect, in Expectation of Recieving the Same again when they needed it, but the Scarcity of Money (we humbly Conceive) hath prevented Public Payments, on the Expectation of which they Contracted debts (with their Neighbours) whereby (in this very great Scarcity of money) Individuals are cruelly Sued, Perplexed, Harressed, and brought almost to dispair. nothing but gold or Silver (which is not to be had) or the Imprisonment of the Debtor, will Satisfy a great part of the Creditors. Numbers of Gentlemen of handsome Fortunes Obliged to leave their Familys, Farms, and Stocks, without any overseer or Labourer and imbrace a loathsome goal, and many more in Daily Expectation of Shareing the fate of their Neighbours, and at the Same time have in their hands a Plenty of Real and Personal Estate and ready to deliver the Same, besides the great Cost they are put to by unnecessary law Suits and Great fees when there is not money in Circulation to pay one fourth part of the Cost.

We therefore in a Dutiful manner Pray this Honourable Court that, there may be an Act passed that the Estate of Debtors may be a Lawfull tender in Case of Suit to be taken at the apprisal of Indifferent persons under Oth also that the fee Table may be Revised, that Attorneys fees and Entry of actions may be Reduced, and the fees

of Jurors, and Evidences be Raised, or that you would Grant Some other Relief in Such a manner as this Honourable Court in their great wisdom Shall think Expedient, as in Duty Bound will ever Pray

Sep^{t} 10th 1785

Nathl Russell	David Hale	Cornelius Sturtevant
Francis Towne	Jonathan Sherwin	James Sawyer
Samuel Whitney	Amos Town	Joseph Willson
Salmon Stone	Benj^{a} Davis	Caleb Tucker
Nathaniel Thomas	Henry Smith	Wm Bragg
John Gills	Benj^{a} Foster	Bartho Dwinell
Jabez Russell	Richd Kimball J^{r}	JosephHammondJuner
Solomon Cutler	Isaac Wood	Jed^{h} Sawyer
Jos : Mulliken	ephraim Hunt	Abel Perkins
Jeremiah Chapman	Caleb winn	Thomas Piper
Thomas Demary	Joseph Plats	James Philbrick
Jonathan Lake	Thomas Tolman	Benj^{a} Bancroft
Seth Payson	Isaac griswold	Jereh Norcross
Daniel Lake	William Bankes	Josiah Ingalls
James Crumbie	Matthias Felton	Jacob Gould Jun
Jonathan Putnam	Phin Farrar	Daniel Lake jur
Nathl Ingalls	Moses D Field	Andrew Kimball
Samuel Walker Junr	Joseph Blood	Jacob Gould
Sam^{ll} Walker	Benj^{a} Osgood	Lemuel Kimball
Levi Whitney	Jedediah Tayntor	Samuel Russell
Asa Sherwin	Daniel Ashley	

[7–66] [*Report of Committee on Accounts*, 1785.]

State of New Hampshire. } We the Subscribers being appointed a Committee by Vote of the General Court of said State to examine the Accounts &c between this State & Col^{o} Samuel Hobart beg leave to report that we have carefully examined said Acco^{ts} and find a Ballance of Three Hundred Eighty Seven pounds four shillings & Sixpence Lawful Money due to said Samuel Hobart —

We also find that there is now in the hands of said Hobart Seventeen hundred and twelve pounds of ungranulated powder belonging to this State —

Also that there is in the hands of s^{d} Hobart Sixty Six pounds five Shillings & Six pence paper money of the old Emission being a Ballance of a pay Roll now due to Soldiers — We beg leave further to

observe that the above Ballance has been due upwards of five Years & that Interest ought to be allowed upon it —

Exeter Sep^{t} 25, 1785 — Jno Parker, Thos Odiorne, Geo Gains } Committee

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[7–67] [*Report of Road Committee*, 1785.]

The Committee appointed by the Honourable General Assembly to lay out a public Road from the River Road in Boscawen to Connecticut River at or near Dartmouth Colledge, beg leave to report the following Return, viz. begining at Dartmouth Colledge thence southeasterly nearly as the Road is now trod about three Miles to where the Bridge formerly stood over Mink Brook on Eleasor Hills Land, thence south about eighteen Degrees east to Lebanon Line as now spotted, thence nearly on the same course to the Road by Clap Sumner's House, thence easterly as the Road is now trod to Col^{o} Paines House, thence nearly on a straight Course to the Road between Philip Paddlefords House and Barn in Enfield, thence as the Road is now spotted to Col^{o} Paines House in Enfield, thence on the Road as now trod to Elijah Paddlefords House, thence South sixty eight Degrees east to the Road as now trod, thence in said Road to the spotted Line about fifteen Rods from Nathaniel Hovey's Sugar Camp, thence on said spotted Line to Masiom River in Canaan, thence nearly on a straight Course to the Bridge over Mud Pond Brook, thence as the Road is now trod about ten Rods, thence on a straight Course to the Road by Eleasor Scofields House, thence in said Road as now trod to Grafton Line, thence on a straight Course to a Stump three Rods to the South of Joseph Beans Barn, thence straight to a Stump four Rods to the North of Resolve Mattersons House, thence straight to the Road as now trod, thence in said Road to the Path that leads to Cardigan, thence on a straight Course to the Road by Jonathan Nichols's House, thence nearly as the Road is now trod to Capt Joseph Hoyts, thence nearly as the Road is now spotted through Alexandria & New Chester to Benjamin Scyllas House in Andover, thence straight (leaving John Sawyer's House three Rods to the North) to the Road as now trod, thence by said Road to the Bridge over ragged Mountain Brook, thence nearly on a straight Course to a Stake three Rods to the South of Simeon Connor's Barn, thence on a straight Course to the Road by Josiah Scribers House, thence in said Road to a Beach Tree marked E. thence

straight about seventeen Rods across Lt John Roes Land to the Road, thence in said Road to Benjamin Huntoon's House in Salisbury, thence on a straight Course to the Road between John Gales House and Barn, thence in said Road about twenty Rods, thence on a straight Course by the West side of Anna Fifields House to the Road, thence in said Road to a Stake opposite Joseph French's House, thence on a straight Course to the Road between Samuel Scribners House and Barn, thence in said Road to a Stake four Rods to the east of Lt John Pearsons House, thence straight to Andrew Bohonnens House, thence following the old Road east of Jacob Bohonnens House to the Road as now trod, thence in said Road about ten Rods, thence straight to the Bridge over the Mill Brook, thence in said Road to the Bridge by Abel Tandys House, thence nearly as the Road formerly went by the west end of Simon Wadleys House, thence southeasterly about eighteen Rods to a Stake by the Road as now trod, thence in said Road to a Stake twenty five Rods short of Edward Eastmans Corner, thence on a straight Course (leaving said Eastman's House to the West) to the Road as now trod, thence in said Road to the easterly side of John Bowens Land, thence southerly on said Bowens Land by Lt Robert Smiths Land thirty eight Rods, thence Southeasterly on as Straight a Course as the Land will admit of to Stirrup Iron Meadow Brook nearly as the Road is now spotted, thence by said spotted Road to Boscawen Line, thence on the Road as now cut out to the River Road in Boscawen near Col^{o} Henry Gerrish's House — Said Road to be four Rods broad —

Concord October 26th 1785 — Tim^{o} Walker, Ebenezer Smith, Henry Gerrish } Committee

State of New Hampshire } In the House of Representatives Octr 28th 1785. The foregoing report being read & considered, Voted, that it be receiv'd & accepted —

Sent up for Concurrence Jno Sullivan Speaker

In the Senate the same day read and concur'd

E Thompson Sec^{ry}

[7–68] [*Account of New Hampshire Taxes*, 1785.]

State of New Hampshire, their Acc^{t} of Taxes exclusive of specific Supplies —

Cr	Old Emission Dollars	New Emission Dollars	Specie Dollars 90^{ths}
By am^{t} paid on quota of 95,000,000 dollars required, by sund^{y} acts of Congress as per Statement herewith N° 10 —	1,612,450		
By am^{t} paid on their quota of 200,062,775 dollars, as ℔ State of said emissions N° 3	2875,000		
By am^{t} paid on their quota of 8,000,000 doll^{rs} specie to 26th Feby 1785 —	. . . . .		7679 – 8–
By Moiety of 8,000,000 doll^{rs} suspended by act of Congress of 27th April 1784 —	. . . .		186,799
By am^{t} paid on their quota of ¾ required 27th Sep^{t} 1785, of the suspended Moiety Viz^{t}			
In Loan office Certificates Issued on bank paper, for payment of Interest	. . .		
In Specie . . .			
By Ball: to be brought into the Trea^{y}	3,712,550.	311,946.	414,854. 82
	8,200,000 =	311,946 =	609,333 —

Dr	Old Emission Dollars	N. Emission Dollars	Specie Dollars 90^{ths}
To their quota of 95,000,000 doll^{rs} required by sundry act of Congress, as per statement herewith — N° 1 —	3,000,000		
To their quota of 10,642,988 doll^{rs} new emissions, and 80,000 Specie, required by sundry acts of Congress as ℔ Statem^{t} N° 2	. .	. 311,946 –	2,319
To their quota 8,000,000 doll^{rs} required by acts of Congress of 30th Octr 1781 —	. . . .		373,598
To their quota of 200,063,775 doll^{rs} Old Emission as per state of said emissions N° 3 —	5200,000 .	.	
To their quota of 1,200,000 dollars required by act of Congress 4th Septr 1782 —	. . . .		. 48,000
To their quota of 2,000,000 doll^{rs} required by act of Congress 16th Octr 1782 —	. . . .		. 80000
To their quota of ¾ of the suspended Moiety of 8,000,000 dollars required by Act of Congress 27th Sep^{t} 1785 —	. . . .		105,416
	8,200,000 =	311,946 =	609,333
To Ball: as above bro^{t} down . . .	3,712,550 =	311,946,	414,854. 82

Registers Office New York 30th Octr 1785.
Stated to this day
(Copy) Joseph Nourse Register

Mem° I have Examined the Continental Treasury books & find 21,956 New Emission dollars of the State New Hampshire xd there by the paymaster Gen[l] M[r] J. Pearce —

[7–69]

[*Resignation of Joseph Pearson from the Committee on Accounts.*]

To the Honorable the Senate & the House of Representatives in General Court convened at Concord Nov[r] 8[th] 1785 —

At the earnest request of the Committee of Safety, sometime in the year one thousand seven hundred & eighty four, the Subscriber was prevailed upon to assist the worthy Committee appointed to settle Continental Accounts, since which time he has been continued in that business by votes of the Hon[ble] Court; but as that business is incompatible with the duties of the Secretary's office, must therefore beg leave to resign the Trust repose in,

Your Honors Most Obed[t] & Most Humble Servt

Joseph Pearson

His Excellency The President of the State of New Hampshire

[7–71] [*Certificate in Regard to General Sullivan's Account.*]

we Certifie That when the Committee appointed to settle the Account of Major General Sullivan for his services in Congress in the years 1780 & 1781 made their report they were inquired of in the House of Representatives what was allowed to said Sullivan on the settlement for wages Exclusive of Expences & they informed the House that they allowed one Dollar per Day for his wages & no more To the best of our remembrance Sam[l] Gilman

John Calfe

Tho[s] Bartlet

I being one of the Committee to settle the above mentioned Account Certify that one Dollar a Day only was allowed said Sullivan for his wages on our report Enoch Coffin

[7–72] [*Letter from Nathaniel Gilman, Loan Officer,* 1786.]

Continental Loan Office }
New Hampshire }

Exeter January 2nd 1786. —

Sir By the Ordinance of Congress of September 27th 1785 the Contl Loan Officers were directed to make Report to the Legislature of the Respective States to which they belong, of the Sums by them paid for Interest on Continental Securities to Jany 1st 1786. agreeably to which I have made out, and now inclose your Excellency, a General Account of Certificates by me issued, from the time of my appointment as Loan Officer to December 31st 1785 inclusive.

with due Respect I have the Honor to be
Your Excellency's Most Obedt servt
Nat. Gilman

His Excellency
President Langdon

[7–73] [*Monsieur Ducher as Vice Consul at Portsmouth.*]

New York — 8th January 1786

The general Consulship of France }
for the United States.— }

Sir His Majesty having made choice of the Sieur Ducher, to discharge as agent, during the absence of M. Toscan, who is gone to Boston, the functions of the Consul at Portsmouth, and having ordered me to install him in that Office; I have the honor to ask your Excelcy to grant to this agent under these circumstances all the necessary support to the functions of Vice Consul with which he is invested, and, to please to announce him in this quality to the Executive Council, and civil Officers of the State of New Hampshire. — I am with true respect — Sir —

Your Excellency's mt humble & most obt Servt
de la Forest

His Excellency the Governor of the State of New Hampshire

[7–75]

[An Act to establish the relative price of bread and flour, 1786. — Ed.]

[7-76] [*An Act of Repeal*, 1786.]

State of New Hampshire } In the Year of our Lord One Thousand Seven hundred & Eighty Six —

An Act for repealing an Act passed the 19th of November 1778 entitled "An Act to prevent the return to this State of certain persons therein named and of others who have left or shall leave this State or either of the United States of America & have joined or shall join the Enemies thereof."

Whereas the Reasons which occasioned the passing of said Act have ceased & the continuing the same in Force may prove injurious to the State, Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened that the said Act & every part and Clause thereof be & they hereby are repealed; and that the persons therein named & others who have left this or any other of the United States except such as during the late War held military Commissions under the King of Great-Britain or have voluntarily borne arms against America may return to this State and reside therein without hindrance or molestation.

Provided that nothing in this Act shall be construed to extend to the restoring to such persons any goods, chattels or Estate which have been actually confiscated by the Laws of this State.

And be it further enacted, that such persons returning or coming into this State as aforesaid shall within ten days after their Arrival take the Oath of Allegiance before the President or one of the advisary Council for the time being & lodge a certificate thereof with the Secretary that the same may be entered on record after which such persons shall be entitled to all the privileges and immunities of the other Subjects of this State.

And be it further enacted that all and every person or persons who during the late War left this or any of the United States and have not received such Commissions from the King of Great Britain or borne arms as aforesaid may & hereby are impowered to prosecute persue and defend Suits and Actions & to convey transfer and dispose of their Estates real & personal any Law or Act of this State to the contrary notwithstanding.

[7-77]

[Petition of Moses Woodward of Portsmouth, for larger allowance for services as commissary of prisoners, February, 1786.— Ed.]

[7–78] [*Leverett Hubbard to President Langdon*, 1786.]

S^r^ If I am rightly inform'd, the conduct of the late President Weare and his privy Council in changing some of the Judges in this State has been very generally disapprov'd of. If your Excellency is in this sentiment, and a sufficient number of the present Hon^le^ Council should be of the same opinion, a melancholy opportunity by the death of the worthy Judge Whipple presents itself to repair the injury done to one of the old discarded Judges of the Superior Court. A word to the wise and good is enough. I am with the greatest respect and esteem, your Excellencies most obedient humble Ser^t^ —

Portsmouth Feby ye 3^d^ 1786 Leveret Hubbard

To His Excellency President Langdon.

[7–79]

[*Circular in Regard to French and Dutch Loans*, 1786.]

Circular Office of Sec^y^ of Congress
Feby 15th 1786

Sir I have the honor of forwarding to Your Excellency herewith enclosed an Act of the United States in Congress assembled, respecting the System of general revenue, recommended in the Act of the 18th April 1783, and a schedule of the French and Dutch Loans, shewing the periods of their redemption with the annual Interest payable thereon, until their final extinction, for which provision is yet to be made. — I also enclose a copy of the Act of the 18th April 1783. —

As the United States in Congress assembled are exceedingly anxious that the several States should come to a decision on the subject as soon as possible, Your Excellency, I hope, will take the earliest opportunity of laying the enclosed papers before the Legislature of Your State. —

with the greatest respect I have the honor to be
Your Excellencys Most Obedient & Most humble Servant —
Chas Thompson

His Excellency the President of New Hampshire —

[7–80] [*Admission of Town Inhabitants,* 1786.]

State of New Hampshire } In the year of our Lord One Thousand Seven hundred & Eighty Six.

An Act in addition to an Act directing the admission of Town Inhabitants.

Whereas the said Act hath not sufficiently provided against persons secretly entertaining strangers in their houses till they become inhabitants which by another law of this State they are allowed to be in twelve months by which means many persons become inhabitants of towns before they are known to live in the town by the officers whose care it is to take notice of such matters ;

For remedy whereof, Be it enacted by the Senate and house of Representatives in General Court convened that the inhabitants of the several towns within this State and parishes having the privileges of towns who shall receive admit and entertain any person or persons, not being inhabitants of such towns or parishes either as inmates boarders or tenants, in the house where such person or persons dwell or in any other house whatsoever within this State or under any other qualifications whatsoever for more than the space of three months and shall not in writing under their hands give an Account to one or more of the Selectmen of such town or parish of all such person or persons so received admitted or entertained by them with the time they first received them and the place from whence they last came together with their Circumstances as far as they know them, shall for every such neglect forfeit and pay the sum of twenty shillings to be recovered by bill plaint or information before any justice of the peace or any court of record within this State proper to try the same, the one half of said sum to be employed to and for the use of the poor of the town or parish where such Offence shall be committed, the other half thereof to him or them who shall inform and sue for the same, and they shall be liable to answer all Charges that may arise in said town or parish by receiving admitting or entertaining such person or persons as aforesaid, to be recovered by the town treasurer or where no treasurer is appointed by the Selectmen who are hereby respectively empowered to bring an Action for the same accordingly.

And be it further enacted that all Costs and Charges arising by warning any such persons as are not inhabitants entering the Caution or carrying them out of town shall be defrayed and paid by those who received and entertained such person or persons in their houses as aforesaid and shall be recovered as aforesaid for the uses aforesaid and the town treasurer or Selectmen aforesaid are hereby respec-

tively directed and ordered before they bring their said Action, to exhibit to such who receive and entertain any person or persons in their houses as aforesaid an account of the Charges arising thereby and upon refusing to pay the same within five days, they shall be liable to pay said Charges and be deprived of any benefit by their notification though given within the three months aforesaid any law usage or Custom to the contrary notwithstanding.

State of
Newhamps^{r} } In the House of Representatives Feby 22^{d} 1786 —
The foregoing Bill having been read a third time
Voted that it pass to be Enacted —
Sent up for concurrence — Jno Sullivan Speaker
In Senate Feb^{ry} 23^{d} 1786 read and Non-concurred
E Thompson Sc^{ry}

[7–81]
[*Endorsed "Mr Hazards Letter to Mr Libby Postmaster,* 1786."]

New York March 22^{d} 1786

Dear Sir As the Resolve of your State now stands it appears to me to be a direct Interference with the Powers the Confederation vests in Congress respecting the Post Office, and therefore I think it would be improper for any Officer under Congress to be concerned in the Business it relates to. — Had the General Court resolved merely that the Line of Posts they mention was necessary, — that the Postmaster at Portsmouth (with the Concent of the Post Master Genl of the United States) be requested to assist in Making the Establishment so as to tally with the Continental Posts, and to Superintend the riders until a Continental Establishment can be made; — & that the Genl Court will find means to defray the Expense of the Establishment now proposed; — there could be no Objection to their Plan but in its present Form, I view it in a very different Light. — I would write to the President upon the Subject but have not Leisure being engaged in preparing for a Journey to Philadelphia

I am Dr Sir

Your very hum Servt

[7–82] [*Letter from Postmaster Libbey,* 1786.]

Portsmouth April 27th 1786

Sr When I was made acquainted that I was Appointed Post Master General for this State, I, Informed your Excellency & the hon^{ble}

Councill, that I should Inform the Post Master General of the United States, of the Act respecting Posts and the Appointment in Consequence, that If he should not think it Inconsistent with the Continental Office I would Accept the Trust. I, Accordingly wrote him on the Subject, and have rec^{d} his Answer, (a Copy of which is Inclos'd) which prevented my Acceptance —

I have at your Excellencys desire engaged with Mr Bean to ride from this Place to Amherst untill the Court meets in June, and Mr Robert Means of Amherst has at my request engaged with a Mr Munro to ride from Amherst to Charlestown & Cornish for the same time. —

I have deliverd to each of those persons an Order of Ten pounds which your Excellency gave me on the Treasurer, the Other Orders are Still in my Possession and are ready to be deliverd in any way your Excellency may please to Order

Had I been at liberty to have Accepted the Appointment, there has not yet appeared any Suitable Persons, that would Engage to ride the Other Stages mentioned in the Act, some Alterations it appears might be made in the Act that would Accomodate the People & be carried into Effect with less Expence to the State than the mode pointed out in the Present — but that your Excellency & the Honble Court will Judge of

I am Your Excellencys Most Humble Servant

Jeremiah Libbey

[7–83] [*Intention to Leave the State.*]

State of New Hampshire } Durham April 29th 1786

The Subscriber who hath long been a Subject of said State, hereby makes known that it is his Intention soon to leave this State in order to reside at Demasarge, a Dutch port on the Continent of America for the purpose of trade and commerce. Joseph Leigh

This paper was filed with me on the day of the date thereof —

Attest E Thompson Sc^{ry}

[7–84] [*Concerning the Mason-Allen Controversy.*]

To the honorable the General Court, for the State of New Hampshire to be convened at Concord on the first Wednesday of June next, humbly Shews

That whereas this State (or at least a great part of it :) are in the greatest Confusion, respecting the Matter of those pretended Claimants of Lands, the Heirs of Samuel Allen, & the Masonian Proprietors ; and no honest Subject, or any other person, dar'st purchase from either, & so the Settlement of this State is greatly impeded ; & it appears by the best Information we can obtain, from History, or Conversation with the best Judges we have met with, that the Title of either party, is very Suspicious, & not upon the best Foundation : But we beg Leave to say, that we look upon it to be a Matter of the utmost importance, that there should be some Method contriv'd, to bring this Matter to a speedy, & permanent Conclusion : that any persons wishing to settle the Waste Lands in our state, may be encouraged ; & able to obtain authentic Titles. If the property is in either, we sincerely wish it may be determined without delay : but if the Right of property, is really in the State, — that it may be devoted to the State's service. If after a strict and candid inquiry, either the Masonians, or the Heirs of Allen, should be just owners ; we earnestly pray that the Lines may be fairly run according to their Grant, that they may have their Right ; & if they are honest Men they can wish no more. We sensibly feel the Distress, this Matter has already occasioned in the Minds of many of the good Subjects of this State, & exceedingly fear the fatal Extremity, to which it most Certainly must lead, & pray the speedy & kind Interposition, of the Guardians of our State may avert & ward off, the fatal Blow. & we further pray that the Navigation Act, may be suspended in its further Operation, until all the States in the Union, shall unanimously Join — All which is humbly submitted, by the Agents or Deligates from ten Towns in the County of Hillsborough, in Convention legally assembled at Goffs Town, on the last Wednesday of May, Anno Domini 1786, and Your petitioners will ever pray, at the Desire, & in behalf of the Convention. —

Sam[l] Caldwell } Chairman

Voted That Capt[n] Daniel Warner be desired to forward this petition to the honorable Court, & make answer to any Questions that may be asked him, relative to the subject Matter thereof.

Jon[a] Gove Clerk

[7–85]

[Petition of Adam Babcock of Boston for allowance for depreciation, June, 1786. — Ed.]

[7–86] [*Mason-Allen Controversy*, 1786.]

State of New Hamp^r^

To the Honerable the General Court of Said State to be Convened at Concord on the first Wensday of June A D 1786

A Petition in behalf of the subscribers Inhabitants of S^d^ State Humbly Shews) that the bare Discovery of our Shore and Harbour in our humble Oppineion never gave the Britesh Prince or parliment a Just Right to Grant aney part of this State to Capt Mason : nor aney other person : as it was never theirs Either by purchess or Conquest : but the first adventerors Who was our Ancestors purchesed of the native Lords of the Soile & Defended it with their blood & treasure : but Capt Mason obtained from the Usorped authority of the britash Court : A Grant of Sixty mils from the sea as described in Said pattan : which his Heirs Sold to Col^e^ Allen Likewise a pretended heir of the Said Mason Sold it again to the Masonien propriators as they Call themselves who took possession thereof and have Extended their teritory fare beyond the Limets the patton Can Ever Support : and have drawn a Curve line without aney foundation for Such a pretence : and thereby have Swept in a Large quatity of land which is the Property of the State : and the Heirs of Allen hath forbid all persons from purchising of s^d^ propriators : Likewis they forbid all from purchessing from the heirs of Allen as in Either Case it would be purchessing a quaril which the Law forbids and Greatly Retards the settlement of the State : and as we are Called upon for Large Sums of money to discharge our proportion of the Expence of the late ware : and a Considerable Revanue might be Raised by the Sale of Said lands : Said line has Ever been Rune Exparty : we look to your honours as the Gardeens of our Rights & property Wherefor we pray that a Committee be appointed to Rune out s^d^ patton and Establish the lines thereof to prevent trespassers from Roobing the state of its property : and that the Unimproved Land without s^d^ patton line now in the possesion of Said Claments may be Sold to Redeem our publick Secqurityes or in Such other way as your wisdom

may See meet & we your petitionars as in Duty bound will Ever pray —

Benjamin Gregg	John Cumings	John Warren
John Gilmor	Isaac Davis	James Nesmith
Joseph Boyd	Abraham Davis	Robert Smith
Danl Miltimor	Phi^{r} Ames	John Stewart Junr
James Dinsmoor	James Duncan	Heanry Bagly
Daniel M^{c}farland	James Aiken	Lemuel Curtice
Willim Boyd	John Stewort	William McCleary
David McCluer	Nathl Davidson	Boyd Hopkins
Jonathan Nesmith	Thos Nichols	Thomas McColom
William Duncan	Richard m^{c}Allester	John Moor
John Dickey	Thomas Stuart	William Campbel
Robe^{rtt} Patterrson	Nathan Taylor	William Gregg
Samuel Gregg	Saml Moore	Robert M^{c}keen
Isaac Patterson	James Carr	Daniel Miltimore
Abram Dunlap	James Wallace	James Gregg
Alex^{r} Jameson	William Holms	John Gregg Junr
Eben^{r} Cotton	James Gregg	Alex^{r} Laptil
Thomas Aiken	Hezekiah Wilkins	John Smith
Samuel Dinsmoor	John Duncan	Robert Dinsmoor
Nenian Aiken	Asa Merrell	Soth Hadley

[7–87] [*Petition from Heirs of Allen*, 1786.]

To the Hon'ble Senate & House of Representatives of the State of New Hampshire

Humbly shew the Subscribers Agents of the proprietors claiming under Samuel Allen Esqr deceased — That owing to a variety of causes, the heirs of said Allen have been prevented from asserting their claim to the lands in this State formerly granted to John Mason & afterward sold by him to said Allen — That great part of said Lands have been conveyed by persons calling themselves the proprietors of Mason's patent — & that considerable tracts have been entered upon & improved by Citizens of this State without any title

That the heirs aforesaid & their assigns being disposed to set up & maintain their right to those lands which remain unimproved in the hands of the said proprietors of Mason & to those only, have released all their right to any lands within said patent except what remains unimproved & claimed as in the hands of said Masons proprietors —

But finding that the extent of the Sixty miles from the Sea being the length of said patent has never been assertained with certainty, it is impossible for them to know which of the reserved and unimproved lands aforesaid they can make claim unto without injuring the State or individuals.

Wherefore they most humbly pray Your Honors to appoint a Committee to run out & ascertain the head line of said Patent in such way & manner as your Honors shall think most for the benefit of the State & least injurious to individuals

Your petitioners are far from wishing to alter the boundaries of Townships, or to interfere with private property, by running said line, but only desire to know within what limits they may safely claim the waste lands, reserved & claimed by the masonian proprietors aforesaid, & are therefore ready to agree to any measures which your wisdom may devise for securing the property & labor of individuals & for establishing the former lines of Townships bounded on the line of said patent as heretofore run —

And your petitioners as in duty bound shall ever pray &c

June 12th 1786 — Jno Sullivan
Peter Green
Saml Lauchlen
Agents for Proprs
Claiming under Allen

[7-88] [*Report of Committee on Standards*, 1786.]

The Committee appointed to devise standards for the Troops of this state beg Leave to report. That the field of the flag be a Dark purple on a white ground — an oval shield in the middle encircled with Laurel; within which is to be the following Device viz a Man Armed at all points in a posture of defence his hand on his sword the sword half drawn The Motto

Freedom not Conquest

Thirteen silver Stars dispersed over the field of the Standard & properly arranged so as to encircle the device & Motto

The Number of each Regiment to be marked on its standard —

The standard of the Light Horse & artillery the same except the device on that of the horse is to be a Man on horse back completely Armed with his hand on a pistol And the Device of the Artillery a Cannonier in uniform with a Lighted match stands near a field piece properly pointed and the motto the same as for the Horse & foot before mentioned

For alarm companies the standards are to be the same only instead of being Numbered the words Alarm Company are to be on the Flagg of the standards John M^c^cleary

State of
New Hamps^r^ } In the House of Representatives June 23^d^ — 1786 —
The foregoing report being read & considered —
Voted. that it be received & Accepted
Sent up for Concurrence John Sparhawk, Speaker P. T. —
In Senate June 24th 1786 read & concurred
J Pearson Sec^y^

[September 19, 1787, a standard was ordered to be procured for each regiment. — ED.]

[7–89] [*Postmaster Libbey to Samuel Dearborn.*]

Post Office Portsm^o^ July. 1786

Mr Samuel Dearborn.

The President & Councill having appointed you as a Post Rider for the State, and your having Accepted said Trust you are to follow such directions as you may receive from this Office untill the Meeting of the Next General Assembly. The rout which you are now to pursue is as follows, you are to set out from this Office every other Monday, and proceed thro Newmarket, Durham, Dover, Rochester, Wakefield, Ossipee, Gore, and Tamworth, to Moultonborough, thence thro' Meredith, Gilmantown, and Barnstead, Barrington, and Dover to Portsmouth —

All Letters which you may receive on the road, or that are committed to your Care, you are carefully to Deliver as directed, (the Postage of the same being paid,) any Letters which you may have rec^d^ & cannot deliver on the Road You are to lodge them in this Office and all Letters delivered on the road or Other Business transacted relating to the Office, you are regularly to render me an Account of on your Return, to this Office — your strict attention to, and punctual performance of the several dutys respecting a Rider is required Your Humble Servant

Jeremiah Libbey —

the Rates of Postage is Inclosed —

[7-91] [*Report of Committee on Continental Accounts.*]

Exeter July 7th 1786 —

Sir the Committee on the Continental Accounts beg leave to acquaint your Excellency, that two Clerks, at least, are necessary to bring said Accounts to a speedy close. — The Committee supposed that by several Votes of the Gen[l] Court, particularly one passed June 23[d] 1785 they were fully authorised to employ one or more Clerks as they should find necessary and consequently to agree with them for their pay. —

The Committee employed M[r] John Morrison as a Clerk, and at the time inform'd him, that Nine shillings ℔ day had been allowed, and that we supposed that sum would be allowed him — by the Gen[l] Court. — But on presenting his Acct at the late Session, the hon[ble] House of Representatives saw fitt to reduce his Account from £22,, 10,, 0 to £15,, 0,, 0 which last Sum they Voted should be paid by an Order on the Treasurer — which Vote was not concurred by the Senate but ordered to lay till the next session of the General Court.

Your Excellency, if you see fit, will lay the matter before your Council, and give such advice and directions in the premises, as your Excellency & Honors shall think proper

Joseph Gilman in behalf of the
Committee on Continental Accounts

P. S. The Accounts cannot be brought to a Close, unless the Committee have means put into their hands to call in assistance — With proper assistance I think the Accounts might be finished in the course of three or four months —

Joseph Gilman
One of the Committee

To His Excellency John Sullivan Esq[r]
President of the State of New Hampshire —

[7-92] [*Joshua Wentworth to President Sullivan.*]

Portsmouth Aug[st] 29. 1786

Sir I was honor'd with your Excellencys Letter of yesterdays date, directed to Mess[r] Langdon, Sparhawk, Sheafe & myself —

I immediately communicated the Contents as you desired, their determination they will undoubtedly make known to your Excellency. — I can reply only for myself that it is entirely out of my power to proceed on the necessary and important business, it would give me

great satisfaction to attend the Convention but I hope two of the Gentlemen will attend, who are appointed, as I view the state of our Commerce almost at an end, and if some measures are not adopted to secure what little remains and open a door to further advantages these Eastern States will consequently be ruined, & the whole Confederacy broken up. — as in my opinion the Union can only be supported with honor, but by Commerce, it is the spring and life of the Most respectable Nations, and beside the honor & dignity of America depend on her asserting the right of sovereignty, and not suffer any Nation on earth to Ligislate for her, — at present Great Brittian does. — I remain respectfully

Y^r^ Excellency's most obedient & very hble serv^t^

Josh. Wentworth

His Excell^cy^ Presid^t^ Sullivan

[7-93] [*Report of Committee on Accounts*, 1786.]

The Committee to examine the situation of the Accounts between the United States & this State, have particularly enquired of Mr Gorham the Continental Commissioner & the Committee on the part of the State for adjusting those accounts, and find the state of them as follows, which they beg leave to report with other remarks. —

The accounts are settled up to the last of the year 1777, exclusive of what may be allowed of those demands which are now making from the Towns in the State for Alarms &c^a^ —

Mr Gorham, admits a charge of Alarms against the United States —

The Militia Rolls after January 1778 are now in the hands of the Committee for examination & copying. —

It is supposed the full & compleat close of the Accounts may require Six months, and to ficilitate which, it is necessary Josiah Gilman Esq be released as one of the Committee on acco^ts^ now rendered from some Towns (and of those that will be rendered) whereby his attention may be particularly called to the Continental accounts —

A dificulty has arrisen on the depreciation of pay to Col^o^ Longs Regiment granted the last session of the General Court, the Continental scale not allowing depreciation until Septr 1777, and the Regiment alluded to were discharged in August the same year Therefore a reconsideration of the Vote is recommended

A large sum of money has been paid by the State for hire of horses employ'd by the Voluntiers for a more expeditious mode of Joining

His Excellency the President when he Commanded at Rhoad Island, who, were requested to proceed with horses & payment garranteed by the Executive department of Government in August 1783. — This charge made by your Committee on the Accounts is not agreed to by Mr Gorham, as no Resolve of Congress will Warrant it — yet your Committee suppose it of such Consequence as may require an application to Congress for an allowance of this charge —

The Committee beg leave further; to recommend an Advertizement, calling upon each Town to bring in their accounts for any demand they have against the State during the late War on or before the day of 1786 or they shall be excluded from payment — which is submitted by Josha Wentworth for the Committee

September session 1786

[7-94] [*Elisha Payne's Letter of Excuse*, 1786.]

Lebanon September 5th A D 1786

Sir, Not only duty, but inclination would be a sufficient inducement, for my attending the Honble Senate in their Sessions at Exeter the current weeks were it not for the previous engagements I am under, which will not admit of my dispensing with — on any principles of reason or consistancy. (which to trouble your Excellency with the particulars [will] be needless) I heartily wish not only unanimity and agreement to attend both branches of the Legislature; but also wisdom and publick rectitude to influence in the important matters that may come under their consideration —

I am Sir with due regard

Your Excellency's Most Obedient & very Humble Servent

Elisha Payne

In Senate Sept 7th 1786

Voted that the within is not a satisfactory Excuse,

J Pearson Secy

[7-96] [*Petition for pardon from Prisoners at Exeter*, 1786.]

To the Honorable the Senate and the Honorable the House of Representatives now convened in Exeter —

We your humble Petitioners now justly held Prisoners in Exeter goal being truly and most sincerely repentant for the most atrocious

crime by us committed in imbodying disorderly, and surrounding the Meeting-house in this town to the great detriment of order and Goverment and the almost unpardonable insult of your most respectable body, and being now also impress'd with the truest compunction of heart for every the least offence committed by us against any particular Member of the Hon^le^ House or Inhabitant of this town, confessing ourselves guilty of the greatest and most agravated offence possible for men to commit — Do most humbly cast ourselves at your Honors feet imploring your mercy and forgiveness for these our aforesaid misdemeanors — All which confession we are heartily desirous to testify before your Honors.—

John m^c^kan
James Cochran Jr
Caleb Smith jr
Sargent Walls
Thomas Cotton
John Gregg
David Batchelder

State of }
New Hamps^r^ } In the House of Representatives Septr 23^d^ 1786 —

Upon reading and considering the foregoing petition,
— Voted that prayer thereof be Granted, & that his Excellency the President give order for the release of s^d^ prisoners. —

Sent up for Concurrence John Preston Speaker P. T.

In Senate Sept 23 1786 read and non concurred

J Pearson Sec^y

[7–99] [*States' Quotas for Indian Warfare*, 1786.]

By the United States in Congress assembled. October 20th 1786. —

The Committee to whom was referred the Letter from the War Office with papers enclosed containing intelligence of the hostile intentions of the Indians in the Western Country having reported

"That the Uniform tenor of the intelligence from the Western "Country plainly indicates the hostile disposition of a number of "Indian Nations particularly the Shawanese, Puteotamies, Chippa- "was, Tawas and Twightwees —

"That these Nations are now Assembling in the Shawanese towns "and are joined by a banditti of desperadoes under the name of Min- "goes and Cherokees, who are outcasts from other nations, and who "have associated and settled in that Country for the purpose of war "and plunder

"That they are labouring to draw in other nations to unite with "them in a War with the Americans —

"That it is expected one thousand Warriors will soon be collected "in the Shawanese towns from whence they have already dispatched "parties to commence hostilities. —

"That from the motions of the Indians to the Southward as well "as to the Northward and the exertions made in different quarters "to stimulate the various nations against the Americans there is the "strongest reason to believe that unless the speediest measures are "taken effectually to counteract and defeat their plans, the War "will become general, and may be attended with the most dangerous "and lasting Consequences. —

"That the Committee therefore deem it highly necessary that the "Troops in the service of the United States be immediately aug- "mented, not only for the protection and support of the frontiers of "the States bordering on the Western Territory and the valuable "settlements on and near the Margin of the Mississipi, but to estab- "lish the possession and facilitate the surveying and selling of those "intermediate lands which have been so much relied on for the reduc- "tion of the debts of the United States" — whereupon

Resolved Unanimously that the Number of One thousand three hundred and forty Non Commissioned Officers and Privates be raised for the term of Three Years unless sooner discharged, and that they together with the troops now in service be formed into a Legionary Corps to Consist of 2040 Non Commissioned Officers and Privates, That the Additional Troops be raised by the following States in the following proportions to Wit

New Hampshire	260	Infantry & Artillery —
Massachusetts .	660	
Rhode Island .	120	
Connecticut . .	180	

Maryland and Virginia each 60 Cavalry making 120

That the Secretary at War inform the Executive Authority of the Respective States in which the troops are to be raised, the number and Rank of Commissioned Officers to be furnished by each State in proportion to the Men —

That the Pay and allowances to the Troops to be raised by this Resolve be the same as established by the Act of Congress of the 12th April 1785. —

That the said Troops shall be subject to the existing Articles of War or such as may hereafter be formed by Congress or a Committee of the States. —

That the Board of Treasury contract for a supply of Clothing and Rations at such places, and in such quantities, as the secretary at War shall judge necessary.

Resolved Unanimously That the States abovementioned be and they are hereby requested to use their utmost exertions to raise the quotas of troops respectively Assigned them with all possible expedition — And that the executive of the said States be and hereby are requested in case any of their Legislatures should not be in session, immediately to convene them for this purpose, as a delay may be attended with the most fatal consequences.

Ordered that the Board of Treasury without delay devise ways and means for the pay and support of the Troops of the United States on the present establishment and report the same to Congress. —

Chas Thompson Secy

October 21st 1789

On the Report of the Board of Treasury pursuant to the orders of yesterday to devise ways and means for the pay and support of the Troops of the United States on the present establishment —

Resolved Unanimously That the several States in the Confederacy be and they are hereby required to pay into the Federal Treasury on or before the first day of June 1787 their respective Quotas of the sum of Five hundred and thirty thousand Dollars in Specie, which quotas are

New Hampshire . . .	18,603	Delaware	7,950
Massachusetts . . .	79,288	Maryland	49,979
Rhode Island	11,395	Virginia	90,630
Connecticut	46,746	North Carolina . . .	38,478
New York	45,368	South Carolina . . .	33,973
New Jersey	29,415	Georgia	5,671
Pennsylvania	72,504		

Which sums when paid shall be passed to the Credit of the States respectively on the terms prescribed by the Resolve of Congress of the 6 day of October 1779, and that the Monies arising from the said Requisition be and hereby are appropriated for the pay and support of the Troops on the present establishment. —

Resolved Unanimously that the Board of Treasury be and they are hereby authorized and directed to open a Loan immediately to the amount of Five hundred thousand Dollars at Six per Cent p. Annum on the Credit of the foregoing Requisition, which they are hereby authorised to pledge to the Lenders for the faithfull reimbursement of the monies Loaned with the Intrest thereof —

Chas Thompson Secy

[7–101] [*Instructions to Officers*, 1786.]

Instructions to senior officer of the troops to be raised in New Hampshire by virtue of the act of Congress of 20th of October 1786.

Sir As commanding officer of the troops to be raised in the state of New Hampshire you are to superintend the recruiting of men for the service of the United States. In the execution of this duty you will yourself pay the greatest attention to the following instructions and enjoin on your inferior officers the most rigid observance thereof.

Neither negroes mulattoes or indians shall be enlisted in the service of the United States. Every man under five feet six inches in height shall be refused. No man under sixteen or above forty five years of age shall be inlisted. Every man who shall be inlisted must be robust and perfectly formed with respect to his body limbs and organs and in full health.

Any officer who shall inlist men contrary to the above instructions shall be obliged to pay the expences which the United States may incur by such enlistment.

No inlistment shall be deemed valid except the person inlisted shall sign his name before a witness and take the oath as directed by the articles of war before a majistrate.

The Clothing arms and accoutrements shall be forwarded to you as soon as possible, and also a sum of money for to pay half a months pay to the men on their being inlisted and sworn. The officers and men will be completed with a months pay previous to their marching.

A contract for furnishing your recruits with rations will be also formed as soon as possible.

The highest exertions and best arrangements must be made to obtain the full number of men immediately.

You will establish a proper rendezvous for the reception of your recruits. You will for this purpose hire some convenient building at a certain rate per month, You will also obtain some fuel taking care to keep only the number of fires which shall be absolutely necessary.

You must also purchase some straw, bowls and camp kettles for cooking. I have written to his Excellency President Sullivan to furnish you money for the advance pay of the men and for the purchasing these small necessary articles which shall be reimbursed to him.

You will inform me weekly of your actual success and prospects in recruiting.

In every expenditure you will consider economy and an attention to the public interest as essentially connected with your reputation.

The accounts of your disbursements must be kept in the fairest

manner — no expenditures will be allowed unless accompanied by authentic vouchers. You must therefore take receipts for the arms clothing and every other supply as well as of the money advanced.

You will introduce the best economy and discipline among the recruits in every department. Having formed your system of conduct and made proper arrangements for its execution in the first instance you will find an ease and harmony resulting therefrom which cannot be afterwards attained and established on a tolerated licentiousness among the recruits. And as it is presumed that every officer who now enters the service intends to elevate himself by a military behavior those only will be countenanced and encouraged who shall make the good of the service and the honor of their country the objects of their pursuits.

As soon as his Excellency the President shall transmit to me official information of your appointments the Commissions for yourself and the other officers shall be forwarded to you.

His Excellency the President will furnish you with the establishment of the pay, subsistence & forage allowed to the troops in service of the United States

Given at the War Office This 21st day of October 1786

J Knox

[7–102]

[*Petition of Benjamin Dearborn of Portsmouth*, 1786.]

State of New–Hampshire

To The honorable Senate and House of Representatives convened at Portsmouth in said state, the second Wednesday in December 1786.

The Petition of Benjamin Dearborn of Portsmouth aforesaid Printer, humbly sheweth, That at a session of the honorable Court in February last your petitioner prayed to have secured unto him, his heirs and assigns, an exclusive right of making a certain Balance or Scales, by him invented ; but as the Scales were not shewn to the Court, their final determination was not then given : Your petitioner, convinced of the readiness of this respectable Body to give every encouragement to usefull improvements, has also invented, at much expense of time and money, a Steelyard, and an Engine for throwing Water, each on a new construction, and prays to have secured unto him and his heirs or assigns for the term of twenty-one years, the exclusive right of making and selling Scales, Steelyards, and Engines on the principles of those by him invented ; the Engines with one or

more barrels, and with or without condensed air, and each of the beforementioned articles with any improvements he may make on them, and that they be not allowed to be used in this State for the term aforesaid, without his Seal or Stamp.

And your Petitioner further prays for leave to produce to this honorable Court the before-mentioned inventions, and that they will secure to him an exclusive right to the Privileges aforesaid, and that he may have leave to bring in a Bill accordingly.

and your Petitioner as in Duty bound will ever pray

Benjamin Dearborn.

[7-104] [*Major McGregore Recommended.*]

Londonderry 26th Decr 1786

Sir — Im informed that a Majr takes the command of the Troops requir'd by Congress from this State — Wou'd inform your Excellency that Majr David McGregore late a Captain in my Regiment has signify'd to me a desire of engaging in the Corps now to be raised if his present rank wou'd not be degraded thereby, Too much cannot be done for the worthy Officers and Soldiers who have distinguished themselves by their alertness Skill and Military knowledge in bringing about the late revolution of which the gentleman above Mentioned is undoubtedly one — As to his skill in military knowledge there is no doubt of it. his well known bravery I have Offten been witness to these added to his other aquirements and good qualitys are such as I have no doubt will render real service to his Countrey and do honor to the State to which he belongs. Shou'd he meet with your Excellencys approbation and have the appointment agreeably it wou'd add to the many Obligations you have laid me under

I am with the highest Esteem

Your Excellencys most Obedt Hble Servt

His Excellency } Geo. Reid
Jno Sullivan }

[7-105] [*W. Sargent to President Sullivan.*]

Boston 28th of December 1786 —

I have the Honor Sir to forward you a Packet which was handed me at New York & at the same time take the Liberty of asking your Attention to one for the French Consul at Portsmouth —

Through the Influence of the Honorable Col Long & Mr Livermore (to whom I request you would be so obliging as to present my Respects) I was appointed a Surveyor of the federal Lands for the State of New Hampshire & it therefore is incumbent on me to inform your Excellency that there is Laid out & divided into Townships agreeably to the Ordinances of the honorable Congress upwards of eight hundred Thousand Acres of Land It was almost as late as September before we got to Business & on the 28th of October the Wyandote Nation prohibited our further Surveys, which with an Alarm that deprived us of nearly twenty Days Service will I hope account satisfactorily for the small Progress we have made —

It will give me very great Pleasure to make any particular Communications to your Excellency relative to our Business, or to receive your Commands

I have the Honor to be with very much Respect
Your Excellencys most obedient Humble Servant
W. Sargent

[7–106] [*Protest of George Gains and Others.*]

We the subscribers beg leave to enter our protest against the passing the bill Entitled an Act to quiet all Bona fide purchasers of Lands between a line crossing over lands upon a straight course from the North extremity of the East Line of Mason's Patent being sixty miles from the Sea on a Straight Line and running to the extremity of the Western Side line of said Patent &c for the following reasons vizt

because the first paragraph in the bill gives no security to any Grantees therein mentioned but seems to be calculated to quiet fears which the bill has a direct tendency excite — while many other Grantees of lands within said Lines entitled to the benefit of the bill, were any intended, are entirely omitted.

2^d^ because the second paragraph of said bill, were it enacted would be a great encouragement to Trespassers and Intruders, as it gives them a preference to the honest peaceable subjects of the State — while it would endemnify them against all damages which otherwise might be recovered of them for trespassing on private property — and because the said second paragraph takes it for granted that the lands therein mentioned belong to the State and is in effect and consequence a pre-adjudication of the Title to the same, in favor of the State, while the State sits as sole judge and arbiter in its own cause.

3^d^ We protest against the third paragraph as its obvious tendency

must be, to deprive the subject of many forcible arguments in support of his claim, alter the real, present circumstances of his cause, much to his prejudice, while it creates a prepossession in favor of the State and looks like preparing a Jury for the decision of the cause. — In accord the subscribers protest against the bill in gross, the genius and tendency of which, they conceive, derogatory to the Legislature and subversive of the constitutional rights of the subject.

George Gains
John Pickering
John Sparhawk
Charles Barret

Amos Dakin
Francis Worcester
Thos Crawford

[7-107] [*Militia Arrangements for Cheshire County.*]

the Representatives for the County of Cheshire have met together and arang^{d} the Rigiments in S^{d} County in the following manner — and also have Nominated the Persons placed at the Wright hand of Said Rigiments for field officers of S^{d} Rig^{ts} Provided his Excellency and the Honourable Councell Should approve of them —

Names of Towns in Each Regiment

Rindge Jeffery Fitzwilliam Dublin Marlboro. & Packerfield	Mg^{r} Rand of Rindge Colo Jedediah Sango Lt Colo Jaffery Dont agree about the Rest it Said the Honourb^{l} T Blood Esqr is well acquainted with S^{d} Reg^{t} —

Names of Towns in the Senior part of the Sixth Rig^{t} —

Winchester Richmond Swanzey Keen & Gilsom	Reubin Alexander Colo winchester Oliver Capron Lt Colo Richmond Davis Howlet m^{r} Keen Josiah Richardson Keen

Names of Towns in the Remainder of the Sixth Rig^{t} —

Hindsdale	Samuel King Col^{o} Chesterfield
Chesterfield	Gerge Aldrich Lt Colo westmorland
Westmorland	Joseph Burt mg Westmorland
& Surrey	Jonathan Smith mg^{r} Surrey

Names of Towns —

Walpole	Christopher Weber Colo — walpole
Charleston	Amos Shephard Lt Colo — Alsted
Unety	Josiah Gouldsmith walpole
Ackworth	Salas Wright — Stoddord
Lambster	
Alsted	
Morlow	
washington	
Stoddord	

Names of Towns

Claremont	Jonathan Chase Colo — Cornish
Cornish	Sam^{ll} Ashley Jn^{r} Lt — Claremont
Plainfield	Moses Whipple — Crydon
Grantham	Joseph Kimball — Plainfield
Protectworth	
Crydon	
Newport	
Windall —	

[7–108] [*Petition of James and William Sheaffe.*]

State of New Hampshire } To the honorable Senate and House of Represent-atives for said State in General Court conven'd at Portsmouth 2^{d} Wednesday of Dec. 1786

Humbly shew James Sheafe and William Sheafe both of Portsmouth in the State of New Hampshire Merchants, that their Brig Jane & Elizabeth John Fraser Master saild from Portsmouth in said State on the 9th day of Feby A D 1786 with a Cargo of Lumber for the Island

of Tobago, in her way thither, she made the Island of Barbados, the Capt of the Brig wishing to learn the Markets among the Islands stood in for Carlisle Bay in Barbados, and while the Brig was standing off and on the Bay, she was seized by Horatio Nelson Esqr Commander of the British Ship of War Boreas, and by his Officers and People she was brought into the Harbour to Anchor and all the People belonging to the Brig were ordered out of her — all the Chests and Trunks on board were broken open and the Vessels Papers and Accounts, and also the Captsown private Accounts & Papers were all taken away — all these proceedings being within the space of one hour after the Brig's first appearing in the Bay — Capt Fraser produced the fullest proofs that the Brig and Cargo were American Property and belonged to the Subjects of the *United States* and demanded his Vessel to be restor'd to him. Notwithstanding which, on the 30th March last the said Nelson caused the Brig and Cargo to be libelled in the Court of Vice Admiralty at Barbados. For importing Goods & Commodities contrary to the British Acts of Trade" — At the same time your Petitioners (had the Vessel been tried) would have clearly proved that there was no Importation made, or attempted to be made — The libel was receiv'd and filed and some proceedings had thereon in said Court but no decisive trial could be obtaind — Afterwards on the 20th day of May last the said Nelson finding that he could not get the Vessel condemned at Barbados, sailed from thence in the Boreas and forcibly carried off the said Brig from the custody of the Court, declaring he would carry her to every British Island in the Westindies and then to England, rather than fail of getting her condemned — Capt Fraser finding the Brig carried away in the manner aforementioned, not knowing to what place she might be carried, and despairing of redress, after waiting seventy days at Barbados returned to Portsmouth

Your Petitioners again employed Capt Fraser to return to the Westindies and furnishd him with Money to stand trial if he could find the Brig at any of the Islands, but he must have perished in a Hurricane on the 2d Septemr on his way from Tobago to Barbados. Your Petitioners having a valuable Brig of 192 tons burthen and Cargo which together they estimate at £2,000 Sterling while employ'd in a lawful trade seized and taken from them by mere dint of power, without colour of law, have no where else to look for redress but to this honorable Court —

Wherefore they pray that your Honors would interpose in their behalf and represent their case to the United States in Congress Assembled and request Congress to instruct their Minister at the Court of London to demand restoration of your Petitioners property,

taken from them by lawless power or otherwise grant redress to your Petitioners in such manner as your wisdom may dictate and your Petitioners as in duty bound will ever pray —

Portsmouth Jany 2d 1787 James Sheafe
William Sheafe

[7–109] [*Report of Committee on Sheaffe's Petition.*]

The Committee on the petition of Messrs James Sheafe and William Sheafe beg leave to report that an attested copy of the petition and order of Court thereon be delivered to the Delegates for this State, and that they be desired and instructed to represent to Congress the manner of the seizure and condemnation of the said Brigantine and Cargo, and move Congress to instruct their Minister at the Court of London to demand Restoration of or Compensate for the said Brigantine and Cargo seized and condemned contrary to the Laws of Nations and of Trade. which is submitted by

Josh Wentworth for the Committee

State of New Hampr } In the House of Representatives January 11th 1787

Upon reading and considering the foregoing Report Voted that it be received and Accepted

Sent up for Concurrence John Langdon Speaker

In Senate Jany 12th 1787 read & concurred

J Pearson Secy

[7–110]

[*Report of Committee on Unimproved Lands,* 1787.]

The Committee on Ascertaining the Waste or un-improved land belonging to the State report that they recommend that a bill be brought in appointing and fully Authorizing a Committee to Settle and Ascertain the Western line of a tract of land originally granted to Capt John Mason commonly called the Masonian line. That said Committee agree with the Owners or Claimants of said Grant in running, marking & establishing said line in such way and Manner as they may Mutually agree. But in case the said owners or Claimants, & the said Committee should not agree in settling said line, that then the Commtee proceed to run and Mark said line agreeably

to the tenor & construction of the original Grant or Grants of the same, and make report thereof to the General Court.

They further recommend that some Court be perticularly impowered, or a new Court erected to try and determine all matters relative to the performance, or Non-performance of Charter Conditions of lands, Granted in this State known by the name of Kings Grants. And that as soon as such Court be authorized or erected, that the Attorney General be directed from time to time, as the General Court shall think proper to Summon before said Court the owners or Claimants of Such Granted Towns or located lands, as the said General Court shall Suppose deficient in performing their respective Charter Conditions to show cause why their said lands should not be declared forfeit; and to Obtain before said Court an Equitable determination thereon Elisha Payne } for the Comm^tee

State of Newhamp^r } In the House of Representatives Jany 9th 1787

Upon reading and considering the foregoing Report Voted that it be received and accepted and that a Bill or Bills be brought in Accordingly

Sent up for concurrence John Langdon Speaker

In Senate Jany 11th 1787 read & concurred

J. Pearson Sec^y

[7-111] [*Removal of Commissioner Gorham.*]

State of New Hampshire } Portsmouth Jany. 16th 1787

Sir The Legislature of this State view with great surprise, the order of the Board of Treasury for the sudden removal of Mr. Gorham, the Continental Commissioner appointed to settle the public Accounts of this State, from his Office at a time when those accounts are in a fair way of settlement; the whole compleated to the close of the year 1777, and the papers & Vouchers for several years after examined and in perfect readiness for Settlement — The trouble & expence of attending a Board of Commissioners at a Distance, with all the papers and vouchers from a State which on every call of Congress has been zealous to contribute largely in supplying men, money, & provisions, cannot be considered as an object of small importance, and even when this is done the Commissioners will be under a Necessity of detaining any agent that may be appointed, until they can

by examination make themselves as fully acquainted with the nature of those Demands as Mr Gorham, who has spent a long time in gaining an adequate knowledge of them. — The reason why much time has already been spent in bringing those Accounts to a close cannot be a matter of surprise when Congress reflect that at the early periods of the late War this State exerted itself in supplying men & provisions for the Army, repeatedly furnished Militia to guard the almost deserted Lines of our Encampments, in the year 1777 almost of itself stopped the progress of a large body of troops penetrating into this State and contributed much toward capturing the forces under General Burgoyne & in 1778 sent a large force to assist in reducing the British Army at Rhode Island & through the whole war in all other respects kept up their quota at least equal with the other States — and in addition to this it ought to be considered that we had extensive frontiers to guard and owing to a dispute between this State & Vermont to Counties out of five were for a long time led to acknowledge the Jurisdiction of Vermont and deny that of New Hampshire, which prevented our receiving any assistance from those two Counties, and now renders our public Accounts very intricate & perplexing — these difficulties having however with great Labor & assiduity been almost overcome and the nature of them fully understood by your Commissioner, the Legislature cannot without pain see him remov'd and the State compelled at a Distance from the files & Records of the State to wade through the same scene of difficulties and embarressments before Gentlemen who cannot without the Loss of much time & Expence have the Demands in the same train for Settlement as they now are. —

Congress will therefore pardon the earnest solicitation of the Legislature to have Mr Gorham continued in Office until the Accounts can be closed, if not inconsistent with the views and designs of Congress respecting the public Weal which will prevent not only a delay of Settlement but very great and unnecessary expence to the State

State of Newhampr } In the House of Representatives Jany 17 = 1787

The Committee for Draughting a letter to Congress respecting the Continental Commissioner on Accounts reported the foregoing, which having been read and considered

Voted, that it be receiv'd & Accepted, & that the President be requested to forward a Copy of the same to Congress as soon as may be —

Sent up for Concurrence John Langdon Speaker

In Senate the same day read & concurred

J. Pearson Secy

[The committee to draft this letter were : Senate, Mr. Atkinson & Mr. Wentworth ; House, Mr. Pickering, Mr. Langdon, and Mr. Sparhawk. — ED.]

[7-113] [*Samuel Hobart's Proposal*, 1787.]

State of New Hampshire Exeter 6th March 1787

Whereas there remains in my possession a quantity of Gun Powder, ungranulated I hereby agree with Christopher Toppan & Joseph Gilman Esqr A Committee appointed by the Genl Court, that I will granulate and deliver to them Nine hundred & fifty Pounds weight, of Powder by the first day of June, they allowing me what remains for my trouble —

The above Powder is to be made as good as the Materials will admit of, & to be delivered at my Powder Mill, they to find Casks

Saml Hobart

[7-114]

[Estimate of supplies needed for the Lighthouse, June 2, 1787. — ED.]

[7-115]

[*Petition in Regard to Courts in Hillsborough County*, 1787.]

To the Honurarable the Senate and the Honourable the House of Representatives to be Convean'd in Concord on the first wednesday of June 1787 the Petition of a Number of Towns in the County of Hillsborough Humbly Sheweth

that Whereas wee your Humble Petitioners belonging to the Northern part of the Said County of Hillsborough Humbly Conceieve our Selves to be Greatly agrieved on the account of the Courts of Law being held Wholy So Near the South part of Said County Wee therefore Humbly pray your Honours to take the Matter into your wise Consideration and Grant us Relief by the Removal of Said Courts in the Centre of Said County or otherwise Grant that wee May have the Priveledge of a half Sheare Town as Near the Centre of the North Half of Said County as Will Best Commode the Inhabitants thereof Which being Done Will Greatly add to the

Conveniency and advantage of your Humble Petitioners and Wee as in Duty bound will Ever pray

Dated June 5th 1787

Henry Gerrish, George Jackman, Jonathan Straw } in behalf of Boscawen

Benja Wiggin } in behalf of Hopkinton

Ebenr Webster, David Pettengil } in behalf of Salisbury

Robert Wallace, Joseph Gibson } in behalf of Henniker

Jno Goodenow, John Currier, Daniel Flood } in behalf of Warner

Richd Bartlet, Benjn Peirce } in behalf of Hillsborough

Joseph Moody } in behalf of Sutton

Saml Brockelbank } in behalf of Newlondon

Jonathan Weare } in behalf of Andover

State of New Hampr } In the House of Representatives June 16 1787

Upon reading & Considering the within Petition/, & the Report of a Committee thereon./

Voted that the Petitioners be heard before the General Court on the third Wednesday of their next Session & that in the mean Time the Petitioners Cause the Substance of the petition & Order of Court thereon to be published three Weeks successively before the Setting of Said Court (in one of the New Hampshire Newspapers) that any Person or persons may then appear & shew Cause if any they have why the prayer thereof should not be granted.

Sent up for Concurrence John Sparhawk Speaker

In Senate the same day read and concurred

J Pearson Secy

State of New Hampr } In the House of Representatives Febr 9th 1788

upon hearing and Considering the Petition of Henry Gerish Esqr and others Voted that the prayer thereof be So far Granted as that the Courts be held in future in the Center of Sd County instead of being held in Amherst as hertofore Done & that the Petitioner have Leave to bring in a Bill accordingly at this or the Next Sessions

Sent up for Concurrence Thos Bartlett Speaker

In Senate Feby 12 1788 read & concurred with this amendment, that instead of all the Courts being held in the Centre of the County, one term of the Superior Court and two terms of the Inferior Court of Common pleas and two Terms of the Court of General Sessions of the peace annually be removed from Amherst and held in such Town in the Northerly part of the County as will be most convenient for the inhabitants.

Sent down for Concurrence J. Pearson Sec^{y}

State of Newhamp^{r} } In the house of Repres^{tives} Jany 6 1789

upon reading & considering the within petition voted that the prayer thereof be so far granted as that they have a half-shire Town in the Northern part of Said County & that Jonathan Gove Mr Cyrus Baldwin Captn Charles Barrett Col: Eben^{r} Webster & Mr Levi Harvy be a Committee at the cost of the petitioners to view the Situation of the County of Hillsborough & report in what Town they think proper that the Courts Shall be held for the northern part of Said County & make their Report to the General Court at their next Session

Sent up for Concurrence Thos Bartlett Speaker

In Senate Jany 8 1789 read & concurred J Pearson Sec^{y}

[7–116]

[Resolve of the Massachusetts Senate, instructing the Governor in regard to suppressing the rebellion of insurgents, together with a list of the names and residences of the insurgents, June 25, 1787. — Ed.]

[7–117] [*Extract from Nicholas Gilman's Letter.*]

Extract of a Letter from the Honorable Nichols Gilman Esqr Dated Philadelphia Septem^{r} 3^{d} 1787

Although this Letter is not meant to be addressed to the Public, I beg your Excellency will suffer me to mention a matter in which I conceive the Interest of the State to be so much concerned that I cannot omit it, though I should subject myself to the imputation of meddling in matters that do not immediately concern me, — It is respecting the domestic Debt. — I find many of the States are making

provision to buy in their Quota's of the final Settlements, and I must ardently wish that the Towns in New Hampshire may be so far awake to a sense of their Interest as to part with their property freely in order to purchase their several Quota's of the public Securities now in circulation, while they are to be had at the present low rate ; which is in this place, at two shillings and six pence on the pound. If they suffer the present opportunity to pass, and we should be so fortunate as to have an efficient Goverment, they will be obliged to buy them of Brokers, Hawkers Speculators & Jockeys, at six or perhaps at eight times their present value. I know your Excellency is well aware of the danger the people are in of suffering through their unwillingness to pay taxes, but perhaps if they were fully sensible of the measures that are pursuing in other States, it might operate as a new incentive to an immediate exertion —

[7–119] [*Petition for Road from Barnstead to Northwood.*]

State of New Hampshire } To the Honble Senate, and House of Representatives for said State convened in Portsmouth the 5th day of December 1787 —

Humbly shews the Subscribers, Inhabitants of said State, that the road (commonly called the Province road) laid out from Durham to Cohos is in some part thereof so incumbered with hills Rocks &c as to be almost impassible for loaded Waggons which hath occasioned the produce of the Northwestern part of the State to be transported into the Massachusetts although at a far greater distance than the Market Towns in this State.

That a road may be made from Barnstead across a corner of Pittsfield to the main road in Northwood which would very much remedy the aforesaid inconveniences, that the distance from the province road in Barnstead (in the way proposed) to the main road in Northwood is not more than four miles, that private persons hath looked out and done considerable in learning the same and that it is capable of being made an excellent Waggon road, & will Shorten the travel to Portsmouth five or Six Miles & will in their opinion if effected be the means of bringing the produce of that part of the Country to our own Markets which now go out of the State.

Wherefore they pray that an Act may be passed appointing Jonathan Clark Esqr of Northwood, Col^o^ Richard Senkler of Barnstead, and Capt Reuben Hill of Lee a Committee & to impower them or the Major part of them to lay out by metes & bounds a highway as

shall seem most convenient to them from the main Country road in Northwood to the province road in Barnstead, And when they have laid out and Marked the Same that they Notifie the Selectmen of the Towns of Northwood, Pittsfield and Barnstead respectively to clear and make the same a good Waggon road as soon as may be, And in case said Selectmen, or either of them shall neglect to perform the same for the Term of Six Months after such Notice said Committee proceed to do the same themselves, and be entitled to recover All the Reasonable expences they may be at on said road with cost of prosecution of such deficient Selectmen. And your Petitioners as in duty bound will pray &c —

Portsmouth December 5th 1787

Jn° Sullivan	Saml Lane Junr	Joseph Badgir Junr
Ebenr Thompson	Joseph Tilton	Chas. Robinson
Ebenezer Smith	Moses Baker	Benjamin Weeks
Reubin morgin	Jona Robinson	Noah Weeks.

State of Newhampr } In the house of Representatives Decr 15 1787

Upon reading & Considering the foregoing petition voted that the prayer thereof be granted & that the petitioners have Leave to bring in a Bill accordingly at this or the next session.

Sent up for Concurrence Thos Bartlett Speaker

In Senate the same day read & concurred.

J. Pearson Secy

[7–120] [*Petition for Organization of Alarm Company.*]

To the Honble the Senate and House of Representatives of the State of New Hampshire in General Assembly convened at Portsmouth on the fourth Wednesday of January 1787

The Petition of a Number of the free citizens of New Hampshire Humbly Shews

That notwithstanding its well known that the Alarum Companys of the State of New Hampshire are in part Composed of Men of the first Character in the State. Yet it must be acknowlidged by every impartial descerning Spectator that their present situation is truly Humiliating. It is or should be a Military Maxim That no Subordinate Officer should have the Command of Different Military Corps at one and the same time (the Alarum companys without dispute differ much from the Trainband both as to Duty and Organiziation) The Officer who Commands different Corps will naturally pay more

attention to one than the other and he will be very ready to give the preeminance to the most active and Numerous part of his Command. Hence the Alarum Companys will undoubtedly be either very much neglected or when put upon duty with the Trainband will be placed at the most disagreeable Posts. Nor is there the least prospect of the Commanders of S^{d} Companys being ever promoted which every one must allow is anough to damp the Spirit of any Good Officer Especialy when he sees himself liable to be Commanded in some future time by Officers who now are of an inferior Rank. We therefore Pray

That your Hon^{rs} would Consider of the matter and either put S^{d} Alarum Companys into Brigates & Divisions by themselves that they may be Commanded by Brigadiers & Maj^{r} Generals of their own and be in Subordination to none but the Commander in Chief — or any other way your Hon^{s} in your Wisdom may see best so that That Class of men who are Constituted of those who hold & have held many of the first Posts of Honour & Trust in ye State and who have the Seniority both as to Age and Merit may at least be put upon as Respectable a footing as any of the Militia in the State. And we as in Duty bound will ever Pray

Deerfield Decemb^{r} 7th 1787

Thos Jenness	Ezekiel Gilman	Samuel Bachelder
William Mudget	Nathanael Bachelder	osa marston
Joseph Hilton	And^{w} Freese	John Avry
Dalton Simpson	Benjamin Stevens	Simon Marston
Jeremiah Holman	Wm Smith	Samuel Tilton
Edmund Chadwick	Ebenezer Tilton	Joseph True
Daniel Currier	Eliphalet Lord	Jeremiah Meloon
Stephen Wille	Phinehas Tilton	Winthrop Bickford ju
John Sandorn	Samuel Blue	Nathan Avery
Levi Wille	Isaac Sheperd	Jeremiah merrill
John mead	Nathaniel Green	John McCrilles
John Prescutt	Samuel Wedgwod	Daniel Moor
Adonijah morrill	Robey Marston	John Bachelder
Levi Seva	Ezra True	James dearborn
William Mudget	John Simpson	James Neal
Joseph Currier	True Brown	Simon Marston
James Kenniston	David Marston	Parkar Chase
Simon Batchelder	Josiah tilton	Jonathan Judkins
David Batchelder	Jonathan Blue	John Jones
Steaphan Prescott	Daniel Tilton	Samuel Prescott
Dudley Leavitt	Benjamin True	Abraham Prescutt
Moses Leavitt	Samuel Collins	Morse Pearson
Joseph March		

[7–122] [*Samuel Hobart's Petition*, 1788.]

To the Honorable the Senate, & House of Representatives for the State of New Hampshire

Humbly sheweth Samuel Hobart of Exeter in said State — That in consequence of an Act made by this Honble Court at Charlestown last fall, in which the building of Slitting Mills was encouraged — That your Petitioner was induced to erect Slitting works, and accordingly has got said works allmost compleated — but finds himself in a difficult situation on account of the scarcity of Cash.

He has orders on the Treasurer of said State for Monies due to him for more than Eleven years ago, some of which he was obliged to dispose of, at one half of the Original value, in order to procure Articles for said works.

He begs leave to shew that the Import duties & Excise are so appropriated that it is out of the Power of the Treasurer to pay his orders in cash, & that it is impossible for him to compleat his works without cash —

Wherefore your Petitioner prays the Honble Court to let him have an order on some of the Excise Masters for any sum, not exceeding what the state is indebted to him, or in such other way as your Honors may think fit, so that he may be enabled to compleat his works as soon as may be, & he as in duty bound prays —

Exeter Jany 31st 1788 Saml Hobart

[7–123] [*Petition for a New County*, 1788.]

To the Honble Senate and House of Representatives in General Court Convened at Portsmouth the 5th day of February A D 1788 —

Humbly shews Timothy Walker of Concord in the County of Rockingham Esqr In behalf of the Inbitants of said Concord that the Inhabitants of said Concord are Subjected to considerable inconvenience, and unnecessary expence by reason of their remote Situation from the County Courts That they apprehend the like Inconvenience is felt by a Number of Towns in the Counties of Rockingham Hillsborough and Strafford which Towns formed into a New County might be sufficiently large, and the Inhabitants thereof much better accomodated than they are at present. And being fully convinced of the disposition of the Legislature, to promote to the utmost of its Power, the convenience & Happiness of the Citizens

of the State he is encouraged to pray in behalf of the said Town of Concord that the following Towns may be formed into a New County Namely Concord, Pembroke, Bow Dunbarton, Weare, Hopkinton, Henniker, Hillsborough, Fishersfield, Sutton, Warner, Salisbury, Andover, Sanbornton, Northfield, Canterbury Loudon, Bradford Allenstown, Chichester, & Pittsfield, And Invested with the Powers and Privileges which are enjoyed by the other Counties in said State — And as in duty bound will ever pray

February 5th — 1788 — Timo Walker

[7-125]

[Letter from Treasurer J. T. Gilman to President Sullivan asking for increase of salary. He was granted £120 for salary and £110 for incidentals. — ED.]

[7-126]

[*Petition for a Company of Horse in 12th Regiment.*]

State of Newhampshire

To the Honourable the Senate and house of Representatives in general Court to be convened at Concord — Your petitioners the Subscribers Humbly Sheweth — that where as the General Court Some time Since Saw fit in their wisdom to pass an act for Raising Several Regiments of Lighthorse which your petitioners Conceive to be of publick Utility to this State and Soon after our hearing that Said licance was granted we assembled together from the Several Companeys in Colo Rands Regt Sufficient for a compleate Company of horse and agreed to acquipt our Selves accordingly but upon the appointment of the officers it So happened that their was only one Subbaultorn officer appointed within the bounds of Said Regiment and he at a vary Remote part thereof which intirely Defeated the Intentions of Your petitioners

Wherefore Your Petitioners Humbly pray that your Honours would grant leave for Raising another Companey of Horse in the Twelfth Regiment Commanded by Colo Rand in order that your Petitioners may have the pleasure of acquipting themselves for that Service and if it be consistent with Your honours pleasure please to let it be an Independant Company Under the Immediate Command of the Brigadeer but if otherwise let it be Annexed to Colo Greenes or Colo Phelps Regement and Your petitioners as in duty bound Shall Ever Pray

May ye 14th 1788

Joseph Wilder
Ebenezer Ripley
Jonathan Lawrance
Reuben Nurs
Kedor Collings
Isaac Robins
Abijah Woodard
Asa Comings
Nethal Joy
Sam^{ll} Buss
Simeon Butters
Benj^{a} Dole
Ephraim Buss
Simson Stewart
John Joslin
Nathan Cutter
James Stevens
Ventia Barns
Thomas Dutton
John Buckley
Robert Harkins
Abel Paine
Gorden Davis
Saml Foster
Alex^{r} Milliken
Peter Jones
Simeon Bullard
Samuel Emery
Moses Stickney Junr
Amos Darling
Joisah French
George Farrar
James Brewer
Samuel Rockwood
Ebenezer Nurse
Edward Foster
Simon Crosby
Barachick Scot
Ephraim Boynton
Isaac Moon Farwell
Charles Bowker
John Briant
Jonathan Taylor
Lemuel Maynard
Hiram Dean
Moses Cutting
Daniel Farrar
Joseph Haskell
Tilley Richason
John Hale
Abijah Carter
Jacob Gould
Enos Lake
Moses Cutter
Willem Eamory

[7-127] [*Petition for Protection of Fish*, 1788.]

State of New hampshire } To the Honble the Genl Court of the State
Lancaster may 17th 1788 } of Newhampshire —

The Petition of the inhabitants of Lancaster Dartmouth Northumberland and Stratford and others inhabitants on Connecticutt River above Charlestown —

Humbly Sheweth, — that there is a Greate Number of Parsons that Live on & Near Connecticutt River, that make it their Business In the time of the year that Salmon are going up Said River, to Set Nets or Seens acrost the River in the Neight & other times, which Stop all the Salmon, and also Put or Place in weres a Sort of Pound or Pots in the Very Perticular Places where Salmon Pass or git up the Rapids in Said River and Perticularly in the Greate falls at wallpole Called Bellow^{s} falls, where a Number of Parsons have combined together, and have Placed in their Pots or Pounds in the only Places where the Salmon Can Pass or git up Said falls, as there is But one or two Places that they Can any ways Pass ; which in all provability will Stop Every Salmon, as they have almost Done it in years Past. that those Parsons among us who used to Stabb with their Spears 18 or 20 Salmon in a Neight, they Can Now Scarsely See a Salmon to

Catch, and if there Cant be Some Stop to those obstructions — we that are Settling and Cultivateing through Every hardship the New lands, & at a greate Distance from the Sea Coasts, must be Deprived of what the alwise being has in his wisdom Provided for us, therefore your Petitioners — Prays that your Honours would Take it under your wise Consideration, and Pass Such act or acts that will Prevent any and all Such Stoppages of the Salmon being made in Connecticutt River through this State — and your Petitioners will Pray —

Edw^{ds} Bucknam
Jonas Baker
Samuel Johnson
John Weeks
Joseph Brackett
Walter Philbrook
Francis Willson

[7–128]

[Resignation of Jeremiah Smith as captain in Colonel Green's regiment, June 12, 1788. Accepted. — Ed.]

[7–129] [*J. Gilman Transmits his Public Accounts.*]

Exeter October 3^{d} 1788

Dear Sir I now send you by the Bearer Mr. Nathaniel Parker, the remainder of our public Accounts — for the Vouchers you will please to give a descriptive Receipt — I should have come to Boston myself had I been well — I must refer you to Mr Parker for any particulars you may be at a loss about, he has been in the Office with me a considerable time, is very intelligent, & doubt not will give you full satisfaction — Inclosed with this are two Copies of Accounts — And Copies of two Notes hand sign'd Noah Emery j^{r} who was A D Q G & acted under Mr Hatch of Boston — On one of the Accounts I have mentioned the money advanc'd to Mr Emery to enable him to forward Beef Cattle. I have not made a formal Charge of either, not being authoriz'd to do it ; but suppose from the conversation that passed when you was here they will be considered as a charge against the United States — I believe you will find the Accounts explicit, no pains have been spared to make them so — hope they will meet your approbation —

I am with Sent^{s} of esteem, Your Obed^{t} hum^{l} Servant

J. Gilman

E. Haskel Esqr Boston.

[7-130] [*Accounts of Confiscated Estates*, 1789.]

An account of the several sums which the trustees of the estates of the absentees from the county of Hillsborough have been credited for, in the settlement of their administration accounts, or which, they have been ordered by the judges of probate in said county, to pay into the treasury, to be laid before his excellency the president of the state of New-Hampshire, agreeably to an act passed the sixth day of February last.

Nahum Baldwin esq trustee of Zacheus Cutlers estate according to the late Judge Blanchard's certificate, paid into the treasury the several sums following, to wit,

	Lm^{y}
1781 — June 6th In continen^{l} Bills £35023.17 =	466-19-3
" 14th in d^{o} d^{o} 453-„ =	6-0-9
23 in specie	33-17-11
Augt In bills issued by act of s^{d} state . .	590—„—„
1784 Ap^{l} 3^{d} In specie	59-19—„
1785 June 13th In D^{o}	18-2-
1787 Jany 9th In certificates interest due on publick securities	60-„-„
Augt 2^{d} in certificates	134-4-
	£1369-2-11

Robt Fletcher esq — trustee of the estate of Edward G: Lutwytche, in his account of his administration of said estate, was allowed by the late judge Patten the following sum of £6527-8 as paid into the treasury July 9th 1781, carried out in silver m^{o} - £213 — In which account there is enclosed a copy of a receipt from the late treasurer N: Gilman esq — dated February 3^{d} 1779 for the sum of £692-2- arising from the sale of said Lutwytche's effects —

Stephen Harriman trustee of the estate of William Stark esq — late of Dunbarton in said county was allowed his administration account by the late Judge Patten for a journey to Exeter to pay the ballance remaining in his hands in bills of new emission viz — £580-3-6-

Said Harriman trustee of the estates of Jno Stinson Jun and Saml Stinson both of Dunbarton was allowed by Judge Patten for a Journey to Exeter to pay the ballance remaining in his hands according to his administration account viz in bills of new emission £257-3-11¼

Oliver Holmes trustee of the estate of Jno Quigley made a charge of £21-0-0 as paid into the treasury.

Said Holmes claimed an appeal from the late Judge Blanchard's decree upon his administration account, which appeal is now pending in the supreme court of probate.

No return has been made into the probate office, by Richard Cutts Shannon esq —trustee of the estates of Samuel Cummings and Benjn Whiting of his administration of said estates.

No return has been made into said office by Ebenezer Champney esq — trustee of the estates of Benjn Whiting, Samuel Cummings and Samuel Tarbell of his administration of said estates.

Saml Dana Judge of Probate

Original ex^{d} per Wm Gordon regis

[7–131]

[John Calfe declines an appointment as state treasurer, Jan. 6, 1789. — Ed.]

[7–132]

[William Gardner accepts an appointment as state treasurer, Jan. 7, 1789. — Ed.]

[7–133] [*Joseph Blanchard's Survey of Waste Lands.*]

Meredith Apr^{l} 9th 1789.

Sr Agreeable to the desire of the Committee for Asertaining the waste lands in this State I proced'^{d} to Col^{o} Smiths when I met Col^{o} Hoit. the Next day began the Journy arived at Jm^{s} Eames, the 14th march, he was in nowise prepar'd for the voige and said he did not Expect us up — his Sons were in the woods, and it Took several days to furnish Provisions hands &c — on the 18th we set out — proceeded up the River and in fifteen days returned to his house I have made a Course plan of the work for the Committes amusement till I can make a Compleat return we Obtain'd the best information we Could get of the Northwest Branch which is call'd *Halls Streem*, that Streem I pursued to its head from which place the Heighth of land is discernable and very plainly Tends from the head of this Streem N. E, but no mountains appear westward Nor Northward the Snow was at least four feet Deep — at the head of

this Streem where we made Good Marks &c. — I also Survey'd the main river Eight miles further up formed Stewart Corner and Canada line went up Indian Streem Several miles till I Concluded Halls Streem to be the most Eligible — these Streems are all Laid down as far as I pursued them and by the Accounts of Hunters (who appear to be well acquainted with that part of the Country) the mane Branch Comes from the east and will Extend beyond New Hampshire East line the upland in that County (People Say) is Generally Good the intervale on Halls Streem is Poor that on Indian River is better but not of the first Quality — the intervale on the Great River against Colbrook and Stewart is large and very Good and holds about the distance of nine miles Streight — there is no Mountains in those parts which makes me think the Country worth Notice I Shall be at Concord at the General Court and Supose the Committee will all be present and then the Acco^{t} may be Settled return made &c. — till which time am y^{r} Most Ob^{t} & very Hum^{l} Servt

Joseph Blanchard

Must beg youd excuse this Scantiety Letter and the Scralling hand I drew it with in intent to Copy it but had not paper.

[7-134]

[Colonel Aaron Kinsman resigns his commission, June 10, 1789. — Ed.]

[7-135] [*David Hide's Petition*, 1789.]

State of New Hampshire — To the Honble Senate and House of Representatives of the State of New Hampshire in General Court Convened —

Humbly shews David Hide that he is owner of a major part of a Township of Land lying in the County of Grafton granted by his Excellency Benning Wentworth Esqr heretofore Governor of the Province of New Hampshire by the name of Dryden which was bounded upon a Township by the name of Preston and the bounds of said Preston depended upon the bounds of other Townships some of which Townships were enlarged after the first grant thereof, and the Lands granted by the name of Preston have been regranted by another name — by reason of the premises there is great difficulty in ascertaining the true bounds of the said Township of Dryden, which

has much retarded the settlement thereof: And your Petitioner further shews that by a late Law of this State the Superior Court are impowered to try forfietures of Charters, whereby the proprietors of said Dryden are in danger of loosing theire said Land unless they comply with the condition of their Charter which is not safe unless the bounds can be ascertained by Law: Therefore your Petitioner most humbly prays your Honours, that there may be a true and legal survey of the Towns of Lancaster, Stoneington alius Northumberland, Woodbury alius Stratford, Preston and Driden, or any other Towns that may be thought necessary, or otherwise grant him some relief touching the Premices as your honours in your great wisdom shall think expedient — And your Petitioners as in Duty bound will ever pray &c. — David Hide

Concord June 15th 1789.

[7-136]

[*Report of Committee on Road from Barnstead to Northwood.*]

State of New Hampshire —

We the Subscribers being a Committee apointed by the General Court to Lay out & Cause to be made Passable a high way from the Province Road so-called in Barnstead to the main Cuntry Road in Northwood have Laid out Said Way & bounded the Same as follows Viz Beginning at the Province Road in Barnstead aforesaid near the Corner of Saml Chesleys Orchad then runs about South & by East 188 Rods as the Road is now Cleard to the Line of Pitsfield then about South Sowwest 64 Rods to the Road Leading by Wm Chases then to follow Said Rode about South two miles & Sixty Rods to Benja Lampres house then to follow the old Road about South & by west half a mile to the main Road in Northwood afores'd Every Part of Said highway is Laid out four Rods wide to be two Rods wide on Each Side of the Center of the way as it is now Cleared Laid out by us this 17th day of June 1789

Jona Clark
Reuben Hill
Daniel Beede
Thomas Stickney
Saml Chamberlin

[7-137] [*Memorial of Archibald McMurphy*, 1789.]

To the Honerable the Senate and House of Representatives now Convened at Concord for the State of New Hampshire

The memorial of Archabald McMurphy of Londonderry humbly shews —

That when the General Court was Setting at said Concord in the month of June 1786 they thoᵗ it worthy of their notice that there should be an examination Made of all the waste lands in this State the boundaries assertained and the Quantity known and it was agreed that I should be a Committee Chosen for that purpose to Consist of one from each County and was to be nominated in the following manner vizᵗ the members of each County to assemble by themselves and name the person they thoᵗ best and make report to the House which was accordingly done and were as follows — from Strafford Colᵒ McDuffee — Hillsborough Capᵗ Emerson — Cheshire Capᵗ Stiles — Grafton Colᵒ Johnston and for Rockingham your Memorialist — which Report was unanimously Receiv'd by a full House the Majority of your Committee agreed to report in part that in their Opinion the first Step to be taken would be to Ascertain the bounds of Masons patent so called and then they thoᵗ they would be in a fair way to pursue the Business in a regular Manner accordingly the Honerable Court made Choice of a Committee for that Special purpose viz. the Honorable Josiah Bartlet — Colᵒ McDuffee and your Memorialist with full power to Compleat the Business agreeable to the Order of the Honorable Court at the June Session 1787 —

Your Committee made Report of their proceedings and requested their Honors further direction in the premises — they gave positive directions the way & Manner the line should be Run and made a Grant of one hundred pounds to be paid out of the Special Tax for the year 1786 which Order your Memorialist Receᵈ to be Accounted for — every effort being used it Could not be Collected — your Memorialist having on hand Some money he Receᵈ by way of Impost expended that, and when that Source faild he put his hand in his pocket for the remainder to Compleat the business, but being Called upon at the office to make payment of the Sum he collected and by the Assistance of his Friends made payment to the State of all he receivᵈ in that way and your Memorialist paid all the Expence to Compleat the whole Business excepting a few Shillings previous to his receiving aid from the State.

That your Memoˢᵗ Receᵈ State Orders for the Ballance of the Hard money Accoᵗ and also for the wages Allow'd him for said Ser-

vice which Orders he now has on hand — neither can he Procure hard money for them without Allowing a very Considerable discount —

He therefore most humbly prays that Your Honers will indulge him so much as to Allow him to Receive the Said Ballance and the money Allowed him as Wages — out of the Hard money which is due to the State arising by the Sale of those Lands to the Masonian Prop^{s} in Lieu of those State Orders with Interest thereon and also for his time in now Attending on your Honers — and your Memost as in Duty bound shall Ever pray.

Dated at Concord June 18 : 1789 Archibald McMurphy

[7-140] [*John Hubbard Recommended.*]

Walpole July 7th 1789

Sir In Answer to your Excellency's desire of me to Signify who in my Opinion would be Sutable to fill the Judge of Probates place in this County now Vacant by the resignation of Judge Sparhawk I should think John Hubbard Esqr of Charleston might do very well for if he is not at present acquainted with that Branch of Law he might soon obtain a General insight into it, and in more Difficult cases he has Judge Olcott and Mr West nigh at hand to repair to for Derection — and I take him to be an honest upright man who would do the thing that is Just in all cases, and would give General Sattisfaction —

I am with Esteem Your Excellencys very Hum^{ble} Servt

John Bellows

N B my Brother the General has Wrote to the purport but I understand his Letter is like to Miscarry as I understand by the bearer of this that the Post had not receiv^{d} it this day and sets off tomorrow morning — J. B

His Excellency John Sullivan and Council

[7-141]

[Samuel Hunt also recommends John Hubbard for judge of probate for Cheshire county, July 9, 1789. — Ed.]

[7-142] [*Petition of Three Men to be Restored to Office.*]

State of New Hampshire } To his Excellency John Sullivan Esqr President of the State of New Hampshire the petition of Ela Dow Jonathan Clough and Thomas Cotton Humbley Shews.

That whereas it was suggested that we said Dow Clough and Cotton were Guilty of Ading assisting and abiting the Insurgents at Exeter in Septem^{r} 1786 in Consequence of which we said Dow Clough and Cotton with maney others were arested and a Court martial appointed for our Trial that at the meeting of the Honourabel Court ye 22^{d} of Novem^{r} 1786 we attended in order to have gone to Trial but the Honble Court Adjourning prevented the trial at that time upon adjournment in Decem^{r} 1786. I Ela Dow was Sick Thomas Cotton appeard before the Court to know when our trial was likely to come on when it was Conceived our trial would take place on friday we Clough and Cotton made preparations to attend on Thirsday afternoon but on Tuesday there Came on a violent Snow Storm which made the passing Extreemly Dificult. However the Honourabel Court Martial in their that wisdom thought fit to Dismiss us from our Respective offices and when the proceedings of the Honble Court martial were Laid Before the Honourabel Legislature of Said State the Hon^{bl} Co^{ll} Calfe Sent to me Ela Dow informing me that he thought it by all means advisabel for me to attend the general Court but unfotunatly the young man my apprentice and Brother in Law then Lay Dead and the Day appointed for his funeral was the Day I should have attended the Hon^{bl} Legislature we Doubt not but that the Hon^{bl} Court martial acted according to the Strictest Rules of Justice and a Becoming Zeal for the Support of goverment and we aquiese in their Proceedings, yet we flatter our Selves that Even Your Excellency has a Simpthy with us in our present Situation and pray your Excellency to Restore us to our Respective offices again if it Can be Done Consistent with Honour and the good of goverment and as in Duty Bound Shall pray &c

Dated at Sandown December 21st 1789

Ela Dow
Jonathan Clough
Thomas Cotton

[8-1] [*Petition of Lemuel Sargent.*]

To the Honorable the General Assembly of the State of New-Hampshire, now sitting at Exeter.

The Petition of Lemuel Sergeant, of Rockingham, in the *State*

Vermont, otherwise in the County of Cumberland, in the State of New York Humbly Sheweth,

That your Petitioner, for a Number of Years last past, and during the unsettled and precarious Situation of the Polity and Jurisdiction of these States, did erect, at a great Expence, a House of Entertainment, and build a Boat for the Accommodation of Gentlemen travelling to and from these neighboring States, at a Place on Connecticut River, called Bellows's-Falls ; the Convenience whereof, to the Public, is manifest, as the Boat receives and discharges Passengers immediately in the Road, without the intervening Obstacles of Gates, Bars, &c.

That the aforesaid Situation is the most direct Line of Communication between the interior Parts of the Western Grants, and the Eastern States ; and, that since the Settlement of Peace, Boundaries, &c the Jurisdiction of the River is allowed to be in your Honorable Body ; and your Petitioner, in his present Jurisdiction, has no legal chartered Right to ferry in the said River.

He therefore prays your Honors, that through your Wisdom, and Desire to promote the amicable Commerce and friendly Intercourse of the respective States, you will grant him such Liberties, Privileges, and Immunities, by Way of Charter, up and down said River, for the Distance of two Miles, as shall be a sufficient Warrant and Protection from any Damage or Prosecution which may be commenced against him for ferrying upon the Waters of the said River.

And your Petitioner, as in Duty bound, shall ever pray, &c

Lemuel Sergeant

[8–3] [*Dissent of James Sheaffe and Others*, 1790.]

Dissent

1st Because we apprehend it to be more consonant to the dignity and wisdom of this house, & more consistent with our publick trust fairly to meet & decide a constitutional question, than to put it over to a period when the present house will not have it in their power to determine it & when many evil consequences resulting from unconstitutional proceedings that are now dreaded will have then taken place —

2nd — Because we find ourselves called on by our duty rather than inclination at this present time to declare in the most unequivocal terms that we consider the two offices held by his excellᵧ, namely that of Presidᵗ of this State and district Judge of the federal court,

to be incompatible, inconsistent with, & subversive of our happy constitution which we wish to transmit from our hands pure, & unsullied to exculpate ourselves from being accessaries, to measures which might have been prevented, we think it our duty solemnly to protest against them, especially against the dangerous precedent of one person, holding the aforesaid offices, being at the same time a legislator in Newhampshire, & Judge of the federal Court under the authority of the United States, where as judge he may explain & interpret laws, which as legislator he assisted to make & as an executive officer was to carry into effect — which mixed authority we conceive tends directly, to a consolidation of both governments — to blind powers that should be seperate, to create diffidence, & distrust in the minds of the people, when unanimity and confidence in the government are absolutely necessary —

Jany 1790

James Sheafe — Thos Crawford
John Hodgdon — Jeremiah Smith
W Page

[8–4] [*New Hampshire State Advertiser*, 1790.]

To the Honble the Senate and House of Representatives of the State of Newhampshire, in General Court convened, this fourth Day of January A D 1790 —

Humbly Shews George Jerry Osborne of Portsmouth Printer, That he has exerted himself equally with any of his Cotemporaries to furnish useful Matter for Publishing a weekly Paper, which he flatters himself, has been as correct, and entertaining to Individuals, & respectable in the State, as any Publications of the kind; for the Truth of which he appeals to the Candour of this Honble Court, Notwithstanding which he finds himself, excluded by Law, from every Advantage to be derived from Printing Advertisments of a Public Nature, and the State in no wise benefited thereby; He therefore supplicates your Honours, that a State News Paper may be instituted, by your Patronage, under the Title of *The New Hampshire State Advertiser*, in which all the Advertisments of a public Nature may be inserted, and that your Petitioner, (while his Exertions meet the Approbation of the Public & your Honours) may have the Benefit of Printing said Paper, on the following Conditions

1st The Title to be the Property of the State, and the Paper to be printed by your Petitioner, at his own Expence and Risque, under the Direction of the general Court —

2d The Paper to contain all the Acts & Resolves of the Court, as they may be from Time to Time passed, & the Ordinances of the feoderal States &c —

3dly It shall be printed weekly in large Paper, and Good Types —

4th The Advertisments to be inserted upon moderate Terms —

5thy The Secretary & Treasurer of this State, & every incorporated Town, to be furnish'd with the said Paper, (to be deliver'd at the Printing Office) either weekly Quarterly or Yearly, as will best Suit their Convenience, at the Printer's expense. —

Should your Petitioner be privileged with Printing a Paper upon the above Principles, his utmost Exertions will not be wanting to render it it a Sourse of intelligence Entertainment, both honorary to the State and beneficial to Individuals. — It would be affrontive to the good Sense of this Honble Body to make any Proposals, which they must know could not be comply'd with, without Injuring Individuals, and oblige your Petitioner at some after Sessions of this Court, to apply for Relief & Assistance, — Your Petitioner further begs Leave to prepose for your Consideration, to print the Acts Resolves, Journals of the Assembly, Treasurers Blanks &c, at the following reduced Rates, (he finding Paper) viz. the Acts & Resolves @ /2d per Sheet, the Journals of the House & Senate @ /3d the Sheet, and the Treasurer's Blanks @ 6/ per hundred, and other Work in like Proportion; By which Reduction, it will evidently appear that there will be a great Saving, to the State, and an Object worthy your Attention, Your Petitioner humbly submits, his aforesaid Propositions to this Honorable Court and as in Duty bound will ever Pray

George Jerry Osborne

State of new Hampr } In the house of Representatives Janr 4th 1790

upon Reading and Considering the Petition & proposals of George Jere Osborne Voted that it be Refered to the Committee on the proposals of Henry Ranlet

Sent up for concurrence Jacob Abbot — Speaker P T —

In Senate the same day read & concurred

J Pearson Secy

[8–5] [*Report of Committee on Waste Lands.*]

We the Subscribers A Committee for assertaining the Waste Lands in the State of New Hampshire have proceeded to Run the Line on the Easterly Side of Said State the Same Course that the

Line was formerly Run and Spotted between this State and the Massachusets we Begun to measure and Spot at the North East Corner of (Shelburn in this State) and measured on to the Waters of Umbagogue Lake which is Sixteen Mile and two hundred forty Rods, then across a branch of Said Lake 54 Rods then fourteen Rods on the Land to a River that is 6 Rods wide and Runs Westerly into Said Lake, then measured on the Land one mile 226 Rods to Said Lake, then a cross the water 40 Rods then over a neck of Land 16 Rods to an arm of Said Lake then a cross the water 235 Rods, then we Continued on our Course 195 Rods to Said Lake then a cross Said Lake about three and half miles then we measured and Spotted 2 miles 226 Rods to Margallaway River that Runs about South West and is about 10 Rods wide Empt^{s} into Amerscogin River a litle below Said Lake, then we measured on our Course one mile and 70 Rods and Crossed Said margallaway River again which will more fully appear by the Plan herewith exhibited we Continued on our Line measured and Spotted to the High Lands that Divide the water that fall into the River St Larance and the waters that fall into the Atlantick ocean from the North East Corner of Said Shelburn to Said High Lands is 54 Miles and we marked a tree at the end of Every mile except where miles end on water from one to 54 miles inclusive where we marked a Large Burch that Stands on Said High Lands thus N E. 54. M. NEW. HAMPSHIRE. 1789, for the North East Corner of New Hampshir and piled Stones Round Said tree, then from Said North East Corner where we marked the Burch we measured and Sptoted Southwesterly and westerly along on Said High Lands about Six mile then we Run about west measured and marked a tree at the end of every mile from Said Burch marked 54 mile at the North East Corner of Said State, from 1 to 17 mile and 200 Rods to the head of the Northwest Branch of Connecticut River and marked a fir tree N H. N W. 1789 for the North west Corner of New Hampshire, then down Said River or Northwest Branch to the main River about 15 mile where Said branch falls into the Main River about half a mile Below Latitude 45° North which will more fully appear by the Plan the Mountains Streams, and waters are laid down on the Plan very accurate where the Line we Run Crossed them but where they were at Sum distance from our Line we laid them down by Conjecture

Portsmouth January 6th 1790 —

Joseph Crane, Jer^{h} Eames } Surveyors

Jno Sullivan, Eben^{r} Smith, Nathan Hoit, Jer^{h} Eames } Committee

[8–6]

[Resolve of the House that the acceptance of a commission as chief justice of the superior court, by John Pickering, renders him incapable of holding a seat in the Council or Senate. — Ed.]

[8–7] [*Memorial of Samuel Hobart of Exeter.*]

To the Honorable the Senate, and House of Representatives for the State of New Hampshire

The Memorial of Samuel Hobart of Exeter humbly sheweth, that he lately erected a Furnace & Slitting mill in said Town, that when he began said works there was due to him from this State upwards of £500 — in Speice, on which he chiefly depended to enable him to Compleat said works, but to his great misfortune, he could not get his money out of the Treasury, & therefore must either dropt his works or Sell his orders on the Treasurer at a very great discount in order to raise Money, in this Situation he thot it wod be more for the public good to pursue & compleat the works, & trust to the Candour & Justice of the Gen[l] Court to make it up to him, & so proceeded, & in Selling his orders he lost £159 — by which he is much imbarrassed —

He begs leave further to shew, that he has got works almost compleated to make refined Iron, & is erecting another large Air Furnace, both he expects will be compleated within Six months, provided he can have his loss aforesaid made up to him — he also begs leave to shew that it is reasonable that all the hands that is necessarily employed, in his Slitting Mill & Furnace, when they are at work, Should be excused from Military duty & attending as Jurors — wherefore he begs the attention of the Honorable Court, that they would take his case under their wise consideration, & grant him such relief as they shall think reasonable & Just, & he as in Duty bound prays —

Jan[y] 14[th] 1790 Sam[l] Hobart

State of N Hamp[r] In the House of Representatives Jan[r] 15[th] 1790

upon reading & Considering the foregoing Petition voted that it be refered to the Committee on encouragement of manufacturers & that they report thereon

Sent up for Concurrence Tho[s] Bartlett Speaker

In Senate the same day read & Concurred

J Pearson Sec[y]

The Committee on the petition of Col° Hobart agree to report that, that part of his Petition which respects his hands employ'd in his Slitting Mill & Furnace being excused from Military duty & Attending as Jurors be granted

Christo^r Toppan for the Committee.

State of
New Hamp^r } In the House of Representatives Jany 22^d 1790

The foregoing report having been read and considered voted that it be received and accepted —

Sent up for Concurrence Thos Bartlett Speaker

In Senate the same day read & concurred

J Pearson Sec^y

[8–8] [*Memorial of Joseph Whipple*, 1790.]

State of New Hampshire

To the Honorable the Senate and House of Representatives in General Court convened at Portsmouth

The Memorial of Joseph Whipple of Portsmouth in the County of Rockingham in said State

Humbly Shews — that in the Year 1786 Your Memorialist was appointed by the Legislature Import officer for the State, and empowered to Collect Impost Duties on all goods & Merchandise Subject by Law to Such Duties — that he undertook the charge and executed it to the best of his power and ability — that at the time of passing the Act laying such Duties there was no Sum Stipulated as a Compensation for the Services of collecting said Duties — that your Memorialist has at several times requested such allowance should be fixed by Law. — that a vote passed the House of Representatives in January 1789 directing a Committee to "Consider of the propriety of calling on the Impost officer" — that no Committee ever called on your Memorialist, but without information decided on an inconsiderable and inadequate recompence & reported the Same, as your Memorialist has been informed — that the operation of the Impost Laws on any future importations of Goods having ceased by the Organization of the Federal establishment for collecting Impost Duties it becomes necessary for the Settlement of said Impost Officers Accounts & making suitable allowance for his Services that the Legislature should give directions for that purpose.

Your Memorialist therefore requests that the Honble Legislature

would take such order in the premises as they shall think proper for settling said Accounts & determining on such recompence as shall be just and reasonable. Joseph Whipple

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[8–9] [*Letter from Joseph Whipple.*]

Portsmouth Jany 25, 1790

Sir Last week I presented a Memorial to the Legislature requesting that they would be pleased to direct the proper Measures for Settling my Accounts with the State & deciding on the pay for my Services as Collector of Duties on goods Imported — a Committee was appointed & I am informed reported, — And that the report now lays before the Honble House. — I beg leave Sir through you to request the attention of the House to said Memorial & report, as it will be attended with great inconveniency to me to attend the Court in any future Session — and it must also add to the embarrasment of the public Accounts to procrastinate the settlement of any that are ready for it —

I must remark on the report as it has been stated to me, that the sum reported is by no means a recompence for the Services, which must be imputed to the hurry in which the Committee reported without being duely informed of the Services incident to the office, some of which I will ask permission to describe, — The Duties of my office required that I should review the Manifests of the Cargoes of all Vessels arriving in the port — receive or Secure the duties on all goods imported by Water or by Land — that I should appoint Deputies in every part of the State where goods are imported — that I should examine & search for suspected concealments of goods — that I should seize all goods illegally imported & prevent every kind of fraud attempted on the Revenue — this was a task more Arduous than was annexed to any office in the State. — In the execution of it I had to contend with the adverse humour of every anti-Revenue, anti-patriotic — & selfish person in the State who imported goods — I appointed nearly 30 Deputies with whom I had to corrispond — and to instruct in every particular in the execution of a Law which was deficient in its energetic principles — and defective in the most essential qualities — In obedience to the Law and in the faithful discharge of the duties incumbent on me — I had to contend with some of my Townsmen & those who I esteem^{d} my friends — & to inforce obedience to the Laws at the risque & loss of their Friendship & good will — And in spite of my endeavors to consiliate the dispositions of every importer to a Law that was held necessary & proper

by the Legislature Actually made many of those my enemies because I would not suffer the Laws to be trampled upon & the Revenue deprived of its dues —

Under these circumstances I beg the indulgence of the Honble House in the short time of their session, & that they will direct a recommitment of the report & descide thereon.

I have only to add that I undertook & executed the office without a previous Stipend for the Services, in the fullest confidence that the Legislature would not avail itself of an uncontrouled power in affixing such reward for Service after the performance of them as should be unreasonably inadequate & unsatisfactory to the party who had no power to oppose tho' equally interested in the decision — I am with great respect to you & the Honble House

Sir Your Most Obed^t^ Servt.

Joseph Whipple.

Honble Thomas Bartlett Esqr

Speaker of the House of Representatives.

[8–10] [*Letter to Joseph Whipple.*]

Extracts from a letter from the Secretary of the Treasury to J. Whipple. —

"Herewith you have Copy of the Act for the establishment & support of Lighthouses, Beacons, Buoys and public Piers — Amongst other things contained in it, you will perceive that it is made the duty of the Secretary of the Treasury to provide by Contracts to be approved by the President of the United States, for rebuilding when necessary & keeping in repair the Lighthouses, Beacons Buoys & public Piers in the several States, and for furnishing the same with all necessary supplies ; and also to agree for the Wages, or hire of the persons appointed for the superintendance & care of the same."—

"It is only necessary for me to remark that the Law Contemplates the providing for keeping in repair those establishments ; by which were probably intended agreements for certain fixed periods of time at determinate rates. — This with regard to S it is presumed will be easy and proper ; but it will not I apprehend be practicable with regard to repairs"

"The officer who had the Command of the Fort being no longer continued by your State in that Situation you will appoint any other person whom you may Judge proper to take immediate charge of the Lighthouse, the Compensation to him you will Settle, and I have no

doubt you will agree upon moderate terms. The rate formerly allowed by the State ought not I conceive to be exceeded, but it will be well to attend to such reduction of them as may be reasonably made"

"I must observe that as the expences of the Lighthouse establishment are only to be defrayed by the United States to the 15th of August next* (1790) if the respectives do not in the meantime make cessions of them to the United States; your Contracts for the present must not extend beyond the above mentioned day."

"You will notice the clause in the Law which renders necessary the transmission of the Contracts made, they are to be enclosed to me that I may lay them before the President of the United [States] for his approbation."

[8–11] [*Resolve of the House in Regard to Pensions.*]

State of New Hampshire

In the House of Representatives January 25th 1790

Whereas Justice requires that the Invalids in this State should be paid agreeably to the Resolve of Congress of the 11th of June 1788. And that those who have received in payment of Sums due to them as Invalids Notes and Certificates of this State should have some allowance therefor: — And whereas it would facilitate the payment of the outstanding specie Taxes if the Orders for such arrears and allowance should be received in payment of said Taxes therefore

Resolved by the Senate & House of Representatives in General Court convened that the arrears of pension due to Invalids in this State be paid agreeably to said Resolution of Congress And that the paymaster of the Invalids in this State give Certificates for such arrears in such sums as may be convenient to those concerned And the Treasurer and the several Constables and Collectors in this State shall receive such Certificates in payment of any Specie Tax outstanding. And those who may have received State Notes or Certificates of this State in payment of the sums due to them as Invalids shall have the following allowance or additional Grant to be paid as the arrears before mentioned namely on all sums paid them for pension between the last day of July one thousand seven hundred and eighty five and the last day of July 1786 five Shillings on the pound — And on all sums paid them for the two years next following Six Shillings and eight pence on the pound and on any payment that

*The Act for the Support of Lighthouses &c was afterward extended to the 1st of July 1791.

may have been made from the time last mentioned to the fourth of March 1789 Eight Shillings on the pound --

Provided always that the arrears and allowance aforesaid shall not be paid to any Order already drawn by any Invalid but shall be paid to the Invalid or Person entitled to the same in person or to his or their Order drawn after the passing of this Resolve the said Invalid or Person intitled to the pension producing such evidence & Certificates of his being so intitled as by law is required

And the paymaster on certifying as aforesaid shall take Receipts in full from the Invalids or persons intitled to receive such pension up to the time to which he shall certify as aforesaid —

Sent up for Concurrence Thos Bartlett Speaker

[8–12] [*Petition of Charles Henzell of Portsmouth.*]

State of New Hampshire } To the Honorable Senate and House of Representatives in General Court Convened on the 24th Day of December 1789 —

The Petition of Charles Henzell of Portsmouth in said State sheweth, that previous to the late Revolution, which restored Independence and happiness to America, he had purchased an Island lying in the Harbor of Piscataqua containing about twelve acres with the buildings thereon, consisting of a dwelling house and a large three-story Warehouse & Wharfe — That at the commencement of the war he was in England from whence after repeated attempts he found it almost impracticable to return to this Country — He however at length embarked from England with his effects for Holland and France ; in which two Countries, under the directions of Doctor Franklin and Commodore Gillon, he spent the greatest part of four Years in rendering services to this Country, for which he neither wished nor ever received any pay — Impatient at length to return to America, he, Anno Domini 1781, made the attempt by the way of the French west Indias and from thence with property to the amount of 1500 pounds he embarked on board an American Ship for Portsmouth ; but was captured on his voyage by a British Man of War, stripped of his property and himself carried a prisoner to Charlestown South Carolina, where he remained untill an exchange took place when he was landed in Virginia in which State and Maryland, (confined the greatest part of the time by disorders he contracted during his imprisonment), he continued till the summer of A. D. 1786, when he returned to this State — Having previous to his leaving this Country employed the Honorable Joshua Wentworth as his Agent he, on

applying to him for the Rents of his lands and buildings, was informed that the aforesaid Island and wharfe and buildings thereon had been occupied by this State from April A. D. 1775 : to April A. D. 1783. That the Warehouse had been used as a Barrack for prisoners and other purposes ; and the dwelling house for the Guards and other troops ; and that the stone wall, built at great expense on said Island, was taken down and used by the Troops for constructing a bridge — He was then and still feels happy in reflecting that any part of his estate had been beneficial to a cause in which he had made great personal sacrifices. And altho' his buildings were exceedingly injured while used for the aforesaid purposes and were also the whole time taxed for the support of the War — Your petitioner would perhaps have never solicited payment therefor, had it not been for his great losses ; and that others whose property was used for similar purposes had been long since compensated therefor — As therefore he presumes the wisdom and Justice of this State will not require more from him than them, or place him on a worse footing than others of her Subjects, he humbly prays your Honors would consider his account herewith presented, and give orders for the immediate payment thereof Had an Individual in the absence of your Petitioner occupied his Estate, he should have known what measures to have pursued to obtain payment — In the present case he is happy in being told, that he lies entirely at the mercy of this honorable Court, for were compulsory measures in this instance practicable he is convinced that the Honor and Justice of this Honorable Court would render them unnecessary — With the warmest attachment to your persons & Government he begs leave to subscribe himself

Your Honors very obedient servant & faithful Subject

Charles Henzell

[8-13] [*Joshua Wentworth's Certificate.*]

I Joshua Wentworth of Lawful Age testify & say that Captain Henzels Island & other interest in this Town were under my care, during his absence and that during the late war, the State of New Hampshire Improved his Island dweling house & Warehouse for the use & service of s^{d} States Troops & for barrack^{s} Prisoners of those taken by land & Sea & in his opinion the rent of the whole is justly worth fifteen pounds a year, exclusive of extraordinary Damage which to his best Judgment was worth an additional sum of five pounds ℔ year to reinstate the buildings = & further saith not —

Portsm^{o} June 9, 1789 — Josh. Wentworth

[8–14] [*Charles Henzell's Bill to the State.*]

The State of New Hampshire to Charles Henzell — Dr.

To the use of my Island in Piscatiqua Harbor, containing twelve Acres, from April 1775, to April 1783, is 8 years at £5 pr year —	£40 „—„
To 50 Rods stone wall taken down & used in constructing a bridge at 6/ pr rod	15 „—„
To the Rent of my large 3 story Ware-house on said Island for prisoners, 8 years at £15 —	120 „—„
To extra damages to the same above the ordinary use —	—24 „—„
To the rent of my dwelling house on said Island 8 years at £5 pr year	—40 „—„
	£239 „—„

February 2nd 1788

Errors excepted —

2d March 1790

Received Several Orders amounting to sixty pounds in full of the within Account in behalf of Charles Henzell Esq

Nahum Akarman

[8–15]

[Charles Henzell authorizes Mr. Ackerman to receive the amount due from the State, March 1, 1790. — Ed.]

[8–16] [*Articles of Agreement*, 1790.]

Articles of Agreement, Indented Made Concluded and fully agreed upon, the Eleventh Day of March, One Thousand Seven Hundred and Ninety — Between Titus Salter of Portsmouth in the County of Rockingham and State of New Hampshire, Gentleman, of the One Part — (and Dudley Odlin Esqr of Exeter, and James Sheafe Esqr of Portsmouth aforesaid (on the Part) and in Behalf of the State of New Hampshire, aforsaid) Of the Other Part, as followeth — vizt.

Imprimis — The Said Titus Salter for the Consideration hereafter in these Presents mentioned, and Expressed — for himself his heirs and Assigns & every of them, Doth Covenant Promise and Grant, to and with the Said Dudley Odlin & James Sheafe Esq[rs] on the Part of New Hampshire as aforsaid — and their Successors and every of them by these Presents — That he the said Titus Salter will Supply and Support the Light at Fort William & Mary with Wick Yarn Oil and Attendance and take the Care of all the Military Stores and Ordinance, and hoist the signal for Topsail Vessels — and hail them when they Pass the Fort for a Time to Commence from the Date of these Presents — and to Continue untill the further Orders of the Great and General Court of Said State —

In Consideration Whereof the Said Dudley Odlin & James Sheafe Esq[rs] in Behalf of the State aforsaid Do Covenant Promise and Grant to and with the Said Titus Salter by these Presents that they the Said Dudley Odlin & James Sheafe Esq[rs] or either of them (in Behalf of the State aforsaid) Shall and will well and truly Pay or Cause to be Paid unto the Said Titus Salter, his heirs or Assigns In Orders (or order) on the Treasurey of the State aforsaid at the rate of One Hundred and Seventy five Pounds Lawfull Money of Said State per Annum (or in that proportion for a Longer or Shorter Terme that he the Said Titus Salter may Supply take the Care off &c. In Witness whereof the Parties to these Presents have Interchangably Set their Hands and Seals hereunto the Day and Year first Above written

Signed Sealed & Delivered
In Presence of
John Goddard
Matt. S. Marsh

Titus Salter
James Sheafe
for himself &
Dudley Odlin Esq.

[8–17] [*James Sheaffe's Letter of Transmittal.*]

His Excey

Sir / I have the honor to enclose to your excellency the contract made agreeably to an order of court for supporting the light and taking care of the military stores at fort william & mary — The terms proposed by Capt Salter were the most advantageous to the state I therefore closed with them by which means a savings will be made of upwards of £300 to the state — The attorney's fee for drawing the

contract was paid by Capt Salter and I have no bill to present for any expence attending the transaction of this business.

I have the honor to be with great respect
yr Exce$^{y's}$ most obedient hum^{l} Serv't

Portsm^{o} June 1790. James Sheafe

[8–18] [*Petition of Ozias Silsby, Post-Rider.*]

To the hon^{ble} Senate and House of Representatives of the State of New Hampshire Convened at Concord June 9th 1790 —

The petition of Ozias Silsby of Acworth humbly sheweth

That your Petitioner has Rode Post for upwards of Twelve Months past from Exeter & Portsmouth to Charlestown No 4 — by the way of Londonderry, Amherst Hilsborough & returned by the way of Keen Peterborough Amherst &c — During which time hath renderd the State every service in his power — for which he has Rec^{d} Six Pounds only Which he concieves not Adequate to the Services rendered the State & the small number of News papers he has been able to dispose of will not enable him to continue in the Business & to induce your *honors* to grant him sufficient encouragement in future he would humbly propose to ride through the State so as to destribute all the Public Acts Laws & other public papers for the State by the Rout your honors think best — Provided he can recieve a reasonable compensation for the service — He therefore prays your honors to take his purpose into your Serious consideration — And if you think proper to establish a Post that he may have the preference And also might recieve some further compensation for his past servises —

And your Petitioner as in duty bound will ever pray —

Ozias Silsby

Treasury Office
New Hampshire } June 10th 1790

I hereby Certify that Mr Ozias Silsby hath at sundry times taken public papers from this Office such as Warrants for Taxes — Extents &c directed to Col^{o} Samuel Hunt Sheriff of Cheshire County —

Wm Gardner, Treas^{r}

State of New Hampshire
to Ozias Silsby D^{r} } Concord June 10th — 1790 —

To business of a public nature such as taking Charge of Proclamations Letters to & from Col. Hunt High Sheriff of the County of Cheshire,

return of votes for President & Senators, Precepts for Taxes &c — Likewise Letters from the Secretarys Office to the several Printers in this State for which I have not Rec[d] any compensation to the amount of Nine Pounds — Ozias Silsby

1 July 1790
Received orders on the Treasurer amounting to six pounds —
Ozias Silsby

[8–19] [*Report of Committee on County Lines.*]

The Committee appointed to report their opinion respecting an alteration in the lines of the several Counties in this State, and whether any and what alterations are necessary, beg leave to report as follows :

The County of Rockingham to be bounded in the following manner, beginning on the northwesterly corner of Summersworth on the line between the State of New Hampshire and the Province of Mane, then to extend on the westerly or head lines of Summorsworth, Dover, Madbury & Lee, until it strikes the south-easterly corner of Barrington, thence on the line between Nottingham and Barrington till it come to the head line of Barrington, thence upon the line between Northwood and Chichester till it strike Epsom corner, then on the lines between Epsom and Chichester, Pembrook and Allenstown, till it come to Chester line, then on Chester's north and westerly lines until it meet the line of Londonderry, then on the northerly and easterly lines of Londonderry, til it reach Pelham line, thence by the east line of Pelham, until it reach the line of Massachusetts, thence easterly on the Massachusetts line to the sea, thence by the seacoasts to Piscatiqua harbour ; thence up the river on the line between the Province of Mane and New Hampshire to the place begun at. The County of Strafford to be bounded as follows, beginning on the head line of Summorsworth on the line between the Province of Mane and New Hampshire, then to extend northerly on said line to the northeastly corner of Conway, then by the north line of Conway, and the north and west lines of Burton unto the north line of Sandwich, thence by the north and west lines of Sandwich unto New Hampton, then by the north and west lines of New Hampton to Pemissewosset rivor then down said river unto the crotch of the same, thence up Winnepesockee rivor to the line between Gilmantown & Northfield thence by the westerly lines of Gilmantown, Barn-

stead and Barrington to the southerly corner of said Barrington, then by the easterly lines of Barrington and Rochester to the place begun at.

The County of Hillsborough to begin at the south east corner of Pelham on the line between Massachusetts and New Hampshire, then westerly on said line unto the southwesterly corner of New Ipswich, thence on the line between Hillsborough and Cheshire Counties to the southwesterly corner of Antrim, then on the southerly lines of the towns of Antrim, Deering, Weare and Dunbarton til it strike Merrimack River on Chester line; thence southerly by Chester line until it strike the northwesterly corner of Londonderry, then on the northerly and easterly lines of Londonderry, Windham and Pelham to the place begun at. A New County to consist of the following towns from the County of Rockingham (viz) Chichester, Pittsfield, Loudon, Canterbury, Northfield, Pembroke, Bow, and Concord; also the following towns out of Hillsborough County (viz) Dunbarton, Weare, Deering, Antrim, Cammel's Gore, Hillsborough, Hennikar, Boscawen, Warner, Bradford, Fishersfield, Sutton, Salisbury, Andover, Kyersarge Gore and New London. The County of Cheshire to remain as it now stands except taking off the towns of Plainfield, New Grantham and Protectworth which are to be annex'd to the County of Grafton. The County of Grafton to begin at the South westly corner of Plainfield on Connecticut river, and to extend up said river to the northwesterly cornor of Piermont, then on the northerly line of Piermont, Warren, Trecothick then by Thornton & Campton easterly lines, til it strike Holderness, then on the easterly and southerly lines of Holderness to Pemissewossit river thence down said river to the northeasterly corner of Andover, then on the line between Andover and New Chester to Kyersarge-Gore, then on the northerly and westerly lines of Kyersarge Gore and New London, til it strike the southeast corner of Protectworth, then on the southerly lines of Protectworth, New-Grantham and Plainfield to the place begun at. The other new County to begin on the southwesterly corner of Haverhill at Connecticut river, thence up said river to the head of the northwesterly branch of the same til it strike Canada line, then on Canada line to the Province of Mane, then southerly on the Province of Mane to the County of Strafford, then on the northerly lines of the Counties of Strafford and Grafton to the place begun at.

All which is humbly submitted by

Thos Bartlett by order and
in behalf of the Committee.—

State of New Hampshire

In the house of Representatives June 16th 1790.—

Upon reading and considering the foregoing report; voted that the secretary be requested to furnish the several printers in this State with a Copy of said Report as soon as conveniently may be, and that the several printers be requested to print the same in the several Newspapers three weeks successively; and that the further consideration of said report be postponed until the next Session —

Sent up for Concurrence — Thos Bartlett Speaker

In Senate the same day read & concurred

J Pearson Secy

[8–20]

[John Pickering accepts commission as chief justice of the superior court, August 23, 1790. — Ed.]

[8–21] [*Samuel Livermore, Member of Congress.*]

Concord 12th November 1790

Sir I have just recd by son a commission prsuant to the law of the state appointing me a member of Congress, Which appointment I accept: and shall devote my abilities to serve the state and the continent in said office. Permit me to return through you my gratefull acknowledgements to my fellow citizens for this repeated mark of their confidence & esteem.

I have the Honr to be your Excellys

most obedt Servant

Samuel Livermore

His Excellency the Presidt of Newhampshire.

[8–22] [*Titus Salter's Agreement,* 1790.]

Be it remembered that on this eighteenth day of November 1790 it is agreed between Titus Salter of Portsmouth in the County of Rockingham & State of New Hampshire on the one part, And Alexander Hamilton Secretary of the Treasury Department for the United

States on the other part in manner following --Viz^{t}. The Said Titus Salter for the Consideration hereafter mentioned doth for himself his heirs executors & Administrators covenant & agree with the said Alexander Hamilton his Successor or Successors in said office, that he the said Titus Salter shall & will defray all the expences & charge that hath arizen for the support maintenance & repairs of the Lighthouse Situate on the Island of New Castle in said State of New Hampshire at the entrance of the River Piscataqua from the fifteenth day of Augst 1789 to the present day, and also that he will provide at his own proper charge & cost all necessary supplies for the future support & maintenance of said Lighthouse untill the first day of July 1791, that he will by himself or some carefull person give proper attendance on said Lighthouse, and in the Night time from the setting to the rising of the Sun keep the same constantly lighted, & in the best manner that its construction will admit of, and make use of no other Oil than Sermacoti, or Hakes Oil, & keep on hand att all times a quantity thereof, not less than one hundred Gallons with a proportionate stock of the best wick, and Suitable Brushes for cleaning the Lanthorn —

And Said Salter doth also agree to cause all such repairs to be made on said Lighthouse as shall be deemed necessary, and previously approved of & directed by the Superintendant of said Lighthouse for the time being —

In Consideration of which the Said Alex. Hamilton doth for himself his Successor or Successors in said Office Covenant and agree with the Said Titus Salter his ex^{rs} & Adm^{r} well & truly to pay unto the Said Titus Salter his ex^{rs} & Adm^{rs} the Sum of *Five hundred fifty five Dollars* & *Ninety Nine Cents* in Manner following viz

	Doll.	Cts.
On the first day of December next the sum of . . .	275.	94
On the 15th day of Dec next the Sum of	42.	15
On the 31 day of Dec. next the Sum of	79.	30
On the 31 day of March next the Sum of	79.	30
And on the 30 day of June next the Sum of . . .	79.	30

And such further Sum as shall be the amount of such necessary repairs on said Lighthouse as shall be previous to the Making thereof approved & directed by the Said Superintendant. —

And for the true performance of their respective Covenants to these presents bind themselves in their Several Capacities aforesaid each to the other in the final sum of Six hundred Dollars. —

In Witness whereof the said Parties have hereunto interchangably set their hand & Seal the day & year afore mentioned.

Signed &c. in presence of
E. Russell
Th. Chadbourn
(Copy)

Alexander Hamilton
by Joseph Whipple
Titus Salter

Seperate Agreement

I hereby agree that when the President of the United States shall approve the Contract made by me for the Support of the Lighthouse in this State from the 15th of Augst 1789 to the 1st of July 1791 Amounting to the Sum of 555 Doll. 99 cents — that the Sum payable to me out of the same is to be $\overset{\text{Doll}}{381.}\ \overset{\text{Cts}}{21}$ agreeable to the estimate annexed hereto, & the remaining Sum of Doll. 174.78 cents shall be retained in the hands of J. Whipple for the payment of Advances made by Col. Supply Clap for Supplies for said Lighthouse before the Same came under my care in March last & for which Said Whipple is to Account with the State. Dated the 18 day of Nov. 1790

(Copy) Titus Salter

Another Separate Agreement Specifies that the Contract shall be void if not approved by the President of the United States, & that no payment shall be made till Such approbation shall be Signified — The estimate on which the Sum of $381\frac{21}{100}$ Dolls payable to Capt Salter, & $174\frac{78}{100}$ Dollars payable to the State is founded will be communicated at any time — the present moment will not admit of copying it.

[8–23–4–5]

[Certificate from Oliver Peabody, Eliphalet Giddings, and Ephraim Robinson, selectmen of Exeter, in regard to nails manufactured by Samuel Hobart, and papers relating to bounty on the same, December, 1790. — Ed.]

[8–27] [*Letter from John Langdon, Member of Congress.*]

Philadelphia Jany 7th 1791.

The Acts of Congress as they are passed from time to time are no doubt transmitted by the President of the United States to the Legislature of New Hampshire ; the Proceedings of Congress in General are published in most of the Newspapers throughout the Union ; the frequent Communications from our Members of Congress

are therefore less necessary — but as the Legislature of our State will be in Session at the Receipt of this it may be of use to inform your Excellency and Both Houses, of Several Bills which are now before Congress ; one for a duty on Imported Spirits, and that which is distilled within the States, or rather a general Excise ; another for the Establishment of a National Bank ; the first of these will no doubt Affect the Excise of New Hampshire and perhaps make it Necessary to Repeal our Law, the excise Laws of all the States (except New Hampshire) are Repealed as I am informed.

It is very generally Agreed that there must be a National Bank, the General principals of which are containd in the Inclosed Bill, which may undergo some Alteration, tho' I dare say the Principals will be preserved — the great Utility of Bank Bills which will be Rec[d] in all the States, for imposts, Excises &c will easily be perceived ; to go into a particular detail of the many Advantages Ariseing from a Bank, in which the General Government will be the greatest Stock holders, would far exceed the limits of a letter, and perhaps would be improper If this Act for Establishing a Bank should pass this Session of Congress (which I have no doubt but it will) I would beg leave to Submit it to the Wisdom of our Legislature, whether it would not be greatly to our Advantage if the State should become Stock Holders — If my memory serves me there is now in the Treasury of New Hampshire, between thirty and forty thousand Dollars of Continental debt, also from twenty to thirty thousand dollars in Specie ; these with any little Addition that might be made from Monies that may Come into the Treasury from outstanding Taxes ; would make a handsome Stock to be subscribed to the Bank the Devidend of which would be paid half yearly ; and would in all probability Yeild from Eight to Nine ℔ Cent ℔ Annum Advantage ; the Original Stock would always be at the disposal of the State and would undoubtedly sell for Specie at par, at any time when our Government should think proper to part with it ; and in all probability it would soon sell above par, the State therefore can run no Risque of looseing — In my Opinion it would be a happy Circumstance, if the General Government — the Several States and Individual Citizens of the United States, could hold the principal part or the whole of the Stock of this Bank, rather than let foreigners step in and Reap the Advantage should the Bank in this City conclude to place their Capital in this National Bank the whole Subscription would be soon Compleated, as three quarters of it is to be in the funded debt of the Union ; It is of great importance to our State, that we endeavour by every means in our power to bring back from the Seat of General Government as much money as we can ; the State being Stock hold-

ers in the Bank will Assist in this Business, this together with the Interest paid to our Citizens by the General Government, and some other Advantages which may Turn up in the Course of the proceedings of Congress, would Counter-ballance the Monies Raised by Imposts and excises and sent out of the State —

I trust your Excellency and the Honble Legislature will not think me impertinent If I take the liberty of Indulging a hope that the light House at Newcastle will be Ceded to the United States during the present Session, and Indeed I could wish that the point of land, where the old fort Stood would be also Ceded, as a Battery might be placed there to protect our harbour, and Commerce at the Expence of the Union, which would be of Advantage to the State, and no Possable danger can Arise from it.

If these hints S^{r} should be thought of any importance they will be Attended to in the Course of the Session, if not they will be passed over — I am sensiable I shall be Excused for the liberty I have taken, as it proceeds from the Sincere desire I have to Serve my State —

I have the Honour to be very Respectfully
your Excellency's Most Obed^{t} Servt.
John Langdon

The President of the State of New Hampshire

[8–28] [*Petition for New County*, 1791.]

To the Honorable, the Senate and House of Representatives of the State of New Hampshire in General Court convened — Humbly shew the Subscribers that, the towns hereafter mentioned are situate in the extremities of the several Counties of Rockingham, Hillsborough, Strafford and Grafton; and all public records kept, and Courts of law held at so great distance from them that the Inhabitants thereof are deprived of many privileges, which other Citizens of the State enjoy viz. The important privilege of trial by a Jury of the vicinage, which in their present situation they must altogether forego or the otherwise so great privilege be rendered very burthensome; and the records being kept at so great a distance makes the necessary resort to them very expensive and grievous; likewise all probate matters, as proving wills, taking letters of Administration &c. the expence of carrying Witnesses so far to try causes, not to mention the exorbitant fees for travil tax'd by Sheriffs and parties in their bills of cost, are accumulated sources of complaint. Wherefore the aforesaid Inhabitants having a proper sense of their grievances and

considering that it is in the power of your Honors to relieve them, to whose justice they appeal, have duly impowered your petitioners to make their complaints known to your honors, humbly conceiving that as "Government was instituted for the public good" they have an equal right with other Citizens of the State to all advantages and benefits resulting from Society — Wherefore the Subscribers, in behalf and by the authority of their several and respective towns, humbly pray your honors that, the towns of Concord, Canterbury, Chichester, Bow, Loudon Pembroke, Pittsfield, Northfield in the County of Rockingham — the towns of Andover, Boscawen, Hopkinton, salisbury, in the County of Hillsborough — the towns of Sanborntown in the County of Strafford and the town of New Chester in the County of Grafton be severed from the aforesaid Counties and, with any other towns your honors may think fit to join be erected into a new County with all the privileges enjoyed by other Counties in this State ; and that the County Courts may be held at such place as a Majority of the County may think proper and have leave to Bring in a Bill to this Session or Some other accordingly — or to relieve us in Some other way as you Your honors in Your Great Wisdom shall Seem meat and we as in duty bound will Ever pray —

Concord Jany 24 1791

Tim^{o} Walker
Reuben Kimball } for Concord
Asa Herrick

Eben^{r} Webster
John C : Gale } for Salisbury

Henry Gerrish
Nathl Green } for Boscawen

Jere^{h} Clough
David McCrilles } for Canterbury

Sam^{ll} McConnell } for Pembroke

Joshua Morse } for Hopkinton

willam Boynton } for Loudon

Reuben Whitcher } for Northfield

Peter Sleeper } for New Chester

Jonathan Leavitt } for Chichester

Wm Harper
Wm Chase } for Sanborntown

Jonathan Weare } for Andover

[8–32] [*Letter from Joseph Whipple.*]

Portsmouth March 18th 1781 —

Sir I had the Honor to receive you letter of the 17th instant enclosing the Act for Ceding the Lighthouse Fort &c to the United States —

You request to be informed of the purpose of my Agreement with Capt Salter for the Care of the Lighthouse & the directions I have

received from the Secretary of the Treasury of the United States on that Subject.

For your information I have now enclosed you the Copy of my agreement with Capt Salter. — My directions from the Secretary are contained in Several letters from him — which being too lengthy to admit of Copying at present, they shall be communicated to your Excellency at any convenient time — the extracts from them which I now enclose I apprehend will be Satisfactory. —

I do not conceive that by the Acts for supporting Lighthouses, & the Several letters which I have received relating to *that* in this State, any other mode could be adopted to secure past expences, than by *Contract*; In order therefore that the State should have the benefit of the reimbursement of the expences that had accrued for its Support from the 15th of August 1789, I included in the Contract the whole expence from that period, stating the estimate, so, as to admit of a ready discrimination between the expences advanced by the State & those to be defrayed by Capt Salter. —

In conformity with the law I have transmitted the Contract, that it may be laid before the President of the United States for his approbation — which If not approved will be void, — this approbation has not been signified to me, — it cannot therefore be considered at present in force, — though I have no reason to doubt of its being approved, when business shall admit of attention to it. —

Any further information that my be desired on this matter, in my power to give, shall be communicated with pleasure.

I am, Sir, with esteem & respect

Your Excellencys Most Obed^{t} Servt

Joseph Whipple

His Excellency President Bartlett

[8–33] [*Another from Joseph Whipple.*]

Portsmouth, May 11th 1791 —

Sir I have lately received notice that the President of the United States has confirmed my Contract with Titus Salter for the Support of the Lighthouse, and as in my agreement with Capt Salter, a reserve was made of Such part the Amount of Supplies as had Accrued prior to his Contract, — I conceive that it would be proper, some person should be appointed in behalf of the State to attend my Settlement with him & receive such part as shall appear due to the State According to the terms of my agreement

My Contract with Capt Salter was retrospective the term commencing the 15th of August 1789, tho' the Contract was dated in Nov. 1790, & is founded on a Minute calculation of every expence on the Lighthouse from the first mentioned day, exclusive of any charge arizing for his care of the Fort, so that the State will receive every Shilling of expence advanced for the Lighthouse, — but the contract being made with Capt Salter it is necessary that he should give the proper Receipts on the payment. —

I have the honor to be, Sir,
Your Excellencys Most Obed^{t} Servt
Joseph Whipple

His Excellency the President.

[8-35] [*Petition for a "half-shire,"* 1791.]

To the Honourable Senate & House of Representatives for the State of New Hampshire Now held at Concord this first Day of June 1791.

We the subscribers of the Town of Hopkinton Henniker Dunbarton Bradford Fishersfield And Elsewhere Humbly wish to Represent to your Honours that it is our desire that we might have the half shire in the westerly part of Hopkinton or in Henniker we think in Justis it belongs to us and we are sensible that it will accommodate the people at Large Better than any other place in the County of Hillsborough and that it will be a great Saving of Expense to the people at large If your Honours think fitt to order the Court House and prison to be in the westerly part of Hopkinton they can be well acomodated with such Necessaries as are Requisite this is Conspicuous to Every Disinterested person that Either of the above places is proper for the seat of the County from this principle we are further Stimulated to pray and intreat your Honours that you would once more Take the matter into your wise Considderation when on doubt the result of your Deliberation will be that the westerly part of Hopkinton is the Spott most Elligible for the Seat of the Court House as well as most For the Honour of the County for whose Benefitt it is Erected

Joseph Gibson	John Gail	Jacob Straw
James Wallace	Gideon Wood	Jacob Straw 3
Matthew Dickey	Timothy Gibson	Robert Rogers
Timothy White	Oliver Patch	Joshua Sawyer
Robert Campbel	Joel Hayger	Jonathan Gordin

Noah Amsden
Samuel Smith
Nathaniel Harthorn
william Morrison
Daniel Whitman
Joshua Parker
David Chadwick
Eben^{r} Harthorn
Joseph Chadwick
thomas Stickney
David Ardway
Thomas Chase
Benjamin Hoyt
Jacob Clark
William Tyler
Abraham Rowel
Jacob Rowel
Oliver Noys
Jacob Stephens
Joseph Baily
John Choat
Jos Choat
Stephen Hammon
Nicholas Colby
Thadeus Ladd
Stephen Adams
Levi Bailey
David Connor
Solomon Child
Abra Morrison
Reuben Currier
Solomon Johnston
David McKillips
John Emerson
Samuel Eastman
John J Connor
Ezra Tucker
Benone Tucker
Gideon Adams
Moses Adam
Jasper Temple
John Whitman
Elisha Barnes
Eben^{r} How
John Chadwick
Moses Resor
Samuel Kimbal
Joseph Lewis
Eliakim How
amos Gould
Jeremiah Flanders
Ambros Chase
Abel Gorden
John Goodman
Wm Stanley
Jonas Bowman
Neth Eaton
Ebenezer Phillips
Stephen Hammon Jun
Aron Eastman
Samuel Connor
Moses Connor
Eliakim Howe Jun.
Joseph Cockron
Zachariah Pike
Joseph Eagor
Joseph Patterson
Asa Dunbor Eager
Levi Straw
Joshua Kimbal
Amos Gordin
Moses Dusten
Jacob Sibly
Daniel Chase
Stephen Lewis
Moses Whitaker
Nathaniel Fulsom
Timothy Flanders
Enry Hunt
Aron Adams
Samuel Andrew
Samuel Page
Thomas Baily
Thos Mehard white
Isaac Pasley
Richard Cressey
Elipheld Holmes
william Gould
James Davis
Daniel Tyler
Eben^{r} Eaton
Samuel Hanzel
Moses Longe
Eliphelet Colby
Mos Bailey
william March
John Kimbal
Joseph Connor
Moses fifield
Robert Morrison
Jeremiah Emerson
Jona Saywer
Daniel Colby
John Tucker

these names under written are Inhabitants of the town of Bradford

Enoch Hoyt
Daniel Young
Tim^{o} Clements
Danl Davis
Samuel French
Nathl Presbrey
Bartho^{l} Cressey
James Presbury
Abel Gorden
Davis Sweet
Jonah Presbury
Joshua Eaton
Isaac Davis
Jacob Stevens
Samuel Cheney

Willm Pressbury	John Brown	Eliphalet Brown
John Gorden	George Presbury	Joshua Andrew
Abra^{m} Smith		

those names Under written are Inhabitants of the town of Fishersfield

Bond Little	Hesikiah Emerson	Caleb Atwood Junr
Charles Colburn	William Cross	Coobit Atwood
Samuel palmer	William Emery	John Atwood
Thomas Little	William Leach	Nicholas Buswell
William Brown	Josiah Emry	Henry Blake
Levi Hastings	Caleb Atwood	Samuel Straw
John Vance	Joseph Pilsbry	Joseph Hastings
Joseph Webster	Charles Hogg	Ereprel Hadley
James Vance	Samuel palmer	Moses Jones
Ichabod Haskel		Joseph Clark

[8–36] [*Petition for Aid to Duck Manufacturers.*]

To the Honourable Senate & House of Representatives in this State Convened

Your Petitioners thinking their prayer perfectly agreeable to reason and equity, would by the permission of this Honourable Court humbly shew — That at a session of this Honourable Court in February 1789 in order to facilitate and establish duck manufactories within this State a bounty was offered to any person or persons who shou'd erect the first buildings suitable for that purpose. In consequence of which your petitioners have deeply interested themselves in this business & have been at great expence to effect so valuable a purpose — But finding ourselves under every disadvantage subsequent to the undertaking & thinking it perfectly reasonable your petitioners were induced to pray for such encouragement as other States afford — It is needless to trouble this Honble Court with an enumeration of losses & disappointments that ever attend the introduction of Manufactories into any Country especially where proper workmen are not to be obtain'd as in the present instance — And it is well known that the great article of our consumption is the produce of our own State the value of which has increased 30 ℔ C^{t} since the erection of this Factory, and shou'd the increase and prosperity of Manufactories be esteemed an acquisition to this State, should they be thought productive of any real benefit — or shou'd the promotion of Industry & its salutary effects be considered as an object worthy of attention, we doubt

not but this Honble Body will grant an adequate compensation — and in that way which shall be most agreeable to themselves — An equality with the State of Massachusetts is all the indulgence we wish for; and if that indulgence is withheld, notwithstanding the great attention, perseverance and expence that has been paid to obtain a competent knowledge of this business, it must now of necessity in a great measure be relinquished — But if consistent and agreeable to the minds of this Honble Court to adopt any measures whereby this most useful art may be promoted; may we not speedily behold the cultivation of our flax revive — our Navigation cloathed with our own manufacture — Idleness will flee away instead of our cash which will increase & enrich our Country & individuals will become sharers in the public good — By the Resolutions of the Genl Court of Massachusetts of 1788–1789 & 1790 it appears that they have given a Bounty of eight Shillings ℔ Bolt for every Bolt of Duck made within Said State, which operates as a heavy tax upon your petitioners in the sale of their Duck — And the removal of which by granting a similar bounty wou'd not only be an inconsiderable & almost imperceptable expence to the State, but a great and lasting benefit. Which is the prayer of your humble & Most Obedient petitioners

Exeter June 3rd 1791 — Thos Odiorne
Geo. Odiorne

[8–37] [*Resolve of Massachusetts House.*]

Commonwealth of Massachusetts —
In the House of Representatives June 14th 1791

Resolved that His Excellency the Governor be & he hereby is requested to send Copies of the Act lately passed by the Legislature of this Commonwealth for the preservation of Fish in the Connecticut River, to the Supreme Executive power of the States of New Hampshire & Vermont & to request the said States to adopt similar measures for the preservation of Fish in the said River — The State of Connecticut having adopted similar measures for the same purpose —

Sent up for Concurrence — David Cobb Spk^r^
In Senate June 4th 1791 Read & Concurred
Saml Phillips Presid^t^
Approv'd — John Hancock
True Copy — Attest John Avery Junr Sec^y^

[8–38] [*Memorial of Robert L. Fowle.*]

To the Honorable Senate, and Honorable House of Representatives, of New Hampshire

The Memorial of Robert Lewis Fowles, respectfully sheweth, That in the Year 1777, he left in the Towns of Exeter, and Portsmouth, a compleat set of Materials, for carrying on the Printing Business ; a Variety of Books, stationery, &c. &c. All which he sometime afterwards understood, the Gentlemen then in Power, took Possession of, as forfeited ; which was consistent to War, and Revolution Principles, to which he has no Objection, or any Thing to offer to this honorable Court. —*But*, when he after the Peace applied, to the Public Offices, for a Certificate of those Transactions, he was astonished to find, no Record was to be found, on which the Secretary, or any other officer, could give such Certificate — of Course, no Compensation from the Court of Great Britain, for that Part of Your Memorialists' Claim, can be procured, for the Want of such Official Certificate — Your Memorialist taking it for granted, That no personal Prejudice, at this Period of Time, is retained against him, prays the Court will take the Case into Consideration and pass such Order thereon, as may impower the Secretary to give such Certificate under the Seal of the State, as will be accepted in Great Britain, and induce them to make him Compensation, for the Loss of Said Materials, &c. and likewise for his loss of Business, as Governments Printer previous to the Revolution, which when considered with your Memorialists other concerns, he presumes, is not rated too high, at £300 Currency per Ann. —

Your Memorialist has a Family in this State, on whom any Compensation that England shall make, will be here expended. —

This Memorialist has only to add That his best Wishes are, that the United States, in general & this, in particular, may enjoy Peace, and flourish, under the Grand Federal Government, to the latest Period of Time — Robt L Fowles

State of New Hampshire —

In the house of Representatives June 7th 1791 —

Upon reading & considering the petition of Robert L. Fowle voted That it appears the Said Robert L Fowle kept a printing Office at Exeter and carryed on the printing business there by publishing a public Newspaper and printing Acts, Laws and other papers for this State — That he left this State in the year 1777 and that agreeable to the confiscating Act this State took possession of his

printing materials, books &c — and that it does not appear that any part thereof, has been restored to him —

Sent up for Concurrence William Plumer Speaker. —

In Senate the same day read & concurred J Pearson Secy

[8–39] [*Report of Committee on Odiorne's Petition.*]

State of New Hampshire —

In the house of Representatives June 9th 1791. —

The Committee on the petition of Thomas Odiorne and George Odiorne reported, That there be granted and paid out of the Treasury of this State a bounty of seven shillings for every piece of Topsail Duck and other stouter sail Cloth, which shall be hereafter manufactured within this State being twenty four inches in breadth and thirty nine Yards long, and that the Commissary General, be and hereby is appointed an agent who is authorized to appoint one or more agents under him to inspect the same, who on application of any manufacturer of Duck or Sail Cloth within this State attended with a Certificate from the Selectmen of the Town where the said manufacturer resides of his being bona fide the manufacturer of the said Duck or sail Cloth, or that the same was manufactured by some person or persons acting for or under him shall proceed to inspect the same, and if found good & merchantable as aforesaid shall give a Certificate thereof to the person applying as aforesaid, which certificate shall entitle the person presenting it to the bounty above mentioned, which bounty shall continue and be in force until further order of the General Court and that the President with advice of Council shall give order for payment of the bounty on the proper Certificate's being produced —

Which report was read & considered, received & accepted —

Sent up for concurrence William Plumer Speaker —

In Senate the same day read & concurred

J Pearson Secy

[8–40] [*Memorial of Samuel Hobart of Exeter.*]

To the Honorable the Senate, and House of Representatives for the State of New Hampshire

The Memorial of Samuel Hobart of Exeter in said State humbly

sheweth — That an Act passed the General Court of said State in Septem^{r} 1787 for the encouragement of building Slitting Mills &c, & for the improvement of which it was thereby enacted that Nail works should be erected at the Prisons in the several Counties in said State, as soon as might be, and that the Prisoners in the several prisons should be employed in making Nails And your said Memorialist placing full confidence in the Authority of this State, that said Act wo'd be carried into effect in all its parts, did erect a Slitting Mill in Exeter aforesaid which was compleated in Septem^{r} 1788, to the full satisfaction of the Hon'ble the Justices of the Sup^{r} Court of said State, who were appointed by said Act to examine the same — but notwithstanding the said Slitting Mill has been built & finished almost three years, yet the nail works in the Several Counties have not been built as is required & directed by said Act (nor any one Step taken towards it), by means whereof your said Memorialist is greatly injured, having no constant employment for said Mill, it is almost useless to him. — Wherefore he prays the attention of the Honorable Court to this matter, that they would be pleased to order that nail works sho'd be erected at the several Prisons in the respective Counties immediately, agreeably to said Act, — and that your Honors would further be pleased to make him some reasonable compensation for the damages he has Sustained by reason of the non compliance of said Act on the part of the State, & devise such ways & means as shall be adequate to said Act in promoting & increaseing this usefull & necessary branch of business, and he as in Duty bound prays.

Concord June 9th 1791. — Saml Hobart

[8–42]

[Letter from Joseph Whipple in regard to his contract with Captain Titus Salter, June 20, 1791. — Ed.]

[8–43] [*J. T. Gilman to President Bartlett.*]

Exeter June 28th 1791.

Sir I have Received a Letter this day from my Brother Nich^{s}, who is in Boston, of which the following is an Extract — "On my Arrival here I was much disappointed in finding that all the Money which the Sec^{y} of the Treasury allowed to be deposited in this Bank in order to facilitate Subscriptions to the Bank of the U. S. had been

paid in" — "It is the prevailing Opinion here that the whole Capital of the Bank will be Subscribed within a very short time & I think the Opinion is pretty well founded" "I understand that the Stock-Holders of the Boston Bank in their Corporate Capacity have agreed to subscribe to a Considerable Amount & if the other Banks have done the Same I should not be surprized if the whole Capital should be taken up within two or three weeks" —

as the man who is to Convey this, is waiting I have not time to add but that I am

With the greatest Respect
Your Excellencys most Obedient Servant
J. T. Gilman

His Excellency President Bartlett.

[8-45-46]

[Samuel Ashley resigns from his position as judge in his county court, July 12, 1791, and recommends Thaddeus McCarty as his successor. — ED.]

[8-47] [*Colonel Shepard Claims a General's Commission.*]

Alstead July 24th 1791 —

May it Please your Excellency —

the friendship and attention your Excellency has been Pleased to honor me with must be my Apology for the freedom I am about to take, I was informed by Esqr Holmes that general Chase has Resigned his Command of the brigade and that Col^o Aldrich and myself are in nomination One of whom to take Said Command — I have Since been Called upon by general Bellows for my Protentions I Accordingly gave them to him — Pardon me Sir for indeavouring to make a true Statement of Our Protentions to your Excellency — may 1st 1775, I had the honor of an Appointment of a Lieu^t in the Service of the United States I went to Canada and was at the Reduction of Saint Johns and montreall and Returned in the Spring 1776 — in my Absence there was an Act Past to Raise more Troops to go to New York — and that all the Officers that went to Canada Should have the Offer of Commanding the Troops that was to be Raised and Each Officer to hold the Same Rank that they held when they was Commissioned to go to Canada — I Accepted and we Raised a Company and went to New York — in January 1777 I moved into the

State of New Hampshire and may 4th 1777 I recd a Captains Commission and went to Ticonderoga — march 16th 1782 I Recd a Majr Commission and December 25th 1784 I Recd a Lieut Colo Commission, and march 1st 1776 I Recd a Colo Commission — I will now State Colo Aldrich Protentions as he gave them to general Bellows he Recd a Lieut Commission on January 1st 1776 — he Recd a Captains Commission October 14th 1776 and Served that tour and then he was Out of the Line of Officers in Command Till December 25th 1784 — when he Recd a Lieut Colo Commission — for there was a new Arrangement Took Place through the State when the 6th Regiment and the 16th was Supposed to be two Large — the general Court took Part of the 6th and Part of the 16th Regiment which I have the honor to Command and made a new Regiment with the Rank of the 21st Regiment of which King was Appointed head Colo King died and November 3d 1785 Aldrich Took the Command of Said Regiment — now I believe it must be Acknowledged that Considering the Rank of Commissions as I have Out Ranked Colo Aldrich the greatest Part of the Time and until he was Appointed a head Colo and the Rank of my Regiment and my Continuance in Command from may 1st 1775 — Down to the Present Day — my Steadfastness in the Cause of my Country and what I have Suffered in fatigues and Also in the Loss of my Property by the war — Although it is not a Lucrative Post — yet I am Led to believe that your Excellency and the Honbl Council will not think me to forward in Claiming it as my right — Sir I have the Honor with Due Respect and the Highest Esteem to Subscribe myself your Excellencys

most Obedient and very Humble Servent

Amos Shepard

His Excellency Josiah Bartlett Esqr Kingstown

N. B. Enclosed I Send to your Excellency the Protentions of the Captains that hold the highest Rank in the 16th Regiment — and Also a Recommendation for an Ensign.

[8-48]

[*Records of the Candidates for General's Commission.*]

Saml Holmes hath commissions as follows viz.

A Lieutenancy — Dated July 22nd 1773 —

Do in alarm list — Decr 20th, 1781 —

A Captaincy — March 25th 1785 —

Peter Sleeper hath Comissions as follows (viz)
An Ensignсy Dated June 14, 1774.
A Lieutinancy — Sept. 5, 1775
D°—
A Captaincy — March 25, 1785 —

Col° George Aldrichs Pretensions.
Commissions Dated as Follows Viz —
Lieutenant Dated July 20th 1775 in Col° Reeds Regiment
1st Lieutenant Dated Jany 1st 1776 in Col° Reeds Regiment
Captain of an Independant Company under Majr Whitcomb Dated October 14th 1776 —
Lieutenant Col° of Militia Dated Decm 25th 1784 —
Col° of Militia Dated Novm 3d 1785

Col° Amos Shephards Pretentions —
2d Lieutenant 1st Compy 1st Regiment in Connecticut Dated 1st day of May 1775
Capt of Militia Dated 4th day of May 1777
First Majr of Militia Dated 16th day of March 1782.
Lieutenant Col° Militia Dated 25 Decm 1784.
Col° of Militia Dated March 1st 1786 —

[8–49] [*Letter from Tench Cox*, 1791.]

Philadelphia July 30th 1791

Gentlemen I did myself the honor duly to inform you of the receipt of your power and instructions to subscribe one hundred and fifty shares to the Bank of the United States in behalf of the State of New Hampshire, and of my intention to hold the papers until I should have seen the business adjusted and had caused the state of the market for Bank Stock to be duly examined. There was a remote possibility that in the necessary excision of the subscriptions offered the first day some shares might be left, which becoming the right of subsequent applicants, might enable me to procure some of those which I was authorized to obtain for your State I quickly found that the demand for Bank Stock was such as to extinguish all hope of obtaining it on the original terms, with an allowance of a moderate commission to the person who might be employed to procure it, for this kind of operation could not be executed by me under the law establishing the Treasury Department. I find also that the fractions of subscriptions, which were necessarily cut off from the whole of the appliers in the morning of the 4th of July, and which,

when thrown together made up a few hundred shares, were absorbed by the applications made in the subsequent part of *that day*. I had not the honor of your letter till the ninth of instant, and many applicants from the 5th to the 8th being disappointed by the prior subscribers, my hope from the surplus above mentioned was at an end. I now therefore return the papers transmitted to me, very sincerely regretting that it was not possible to execute the business. It will not fail however to afford consolation to the Government and People of New Hampshire, that this little disappointment arises from the high degree in which a confidence in our national *ability*, *wisdom* and integrity exists in the minds of our fellow-citizens and of the people of several rich and intelligent foreign nations.

With the highest respect I have the honor to be Gentlemen
Your most obedient & most humble Servant
Tench Coxe

To his Excellency Josiah Bartlett Esqr President and John T. Gilman Esqr Treasurer of the State of New Hampshire.

[8-51] [*Petition for Road from Concord to Durham.*]

State of New Hampshire

To the Honble Senate and the Honorable House of Representatives for said State in General Court convened on the last Wednesday in November 1791 —

The Memorial of sundry Inhabitants of said State who humbly conceive that in very many instances, the Roads in this State that communicate with the Sea Coast, are crooked and very indirect, and that the Trade & business of the inland country, may be greatly facilitated by Straightening, and of consequence shortning the same. —

That the Goods & produce transported to and from Boston, to Concord, & which supply the Country West, & Northwest from thence, — That a Good road may be had from Concord to Durham falls in thirty miles; — That if it should Still be found necessary to transport heavy Articles to and from Boston to Concord, & other parts from thence within Land — the proposed Road will Save the expence of Forty five Miles Land carriage to the consumer; — All which is clearly Demonstrated by an actual Survey, a Plan of which is ready to be produced to your honors, which some of your petitioners have been at the Expence of obtaining, for all which & many other reasons, unnecessary for us to suggest to your honors, — We

humbly pray your Honors will appoint a proper Committee with full powers, to look out survey and Establish a Public road from Durham falls, directly to Concord as near straight as the nature of the Land will admit, or take such other order, as your Honors may conceive most for the public good, Novem^{r} 28th 1791 —

William Duncan	Jeremiah Libbey	Abel Harris
Robert Harris	Daniel Rindge	John Goddard
Tim^{o} Walker	Thomas Sheafe	Wm Gardner
Reuben Kimbal	Samuel Hill	

The committee on the within petition report

That a proper committee be appointed with full powers to look out survey and establish a public road from Concord to Durham falls and to Newmarket bridge and shall direct what Compensation shall be made to any individuals injured by the road running thro' their Lands —

the expences and time of said committee shall be paid by the state and all other expences of laying out & maintaining said Road shall be defrayed as the Law in such cases directs — The Committee beg leave to report the annexed Bill

James Sheafe for the Com^{e}

[8–52] [*Petition of Mary Tufton Mason.*]

State of New Hampshire } To the Honble the Senate and House of Representatives now in General Court convened in Portsmouth in said State.

The Petition of Mary Tufton Mason of Bugden in the County of Huntington in Great Britain, Widow and Relict of John Tufton Mason Esqr deceased Humbly sheweth,

That your Petitioner being appointed Sole Executrix of the last Will and Testament of said deceased, caused the proper Copy thereof to be filed in the Register's Office of the Court of Probate for the County of Rockingham, as he had estate here to be administered upon — That Doctor Nathl Appleton Haven hath applied to said Court for administration on said Estate with the will annexed, and it hath been granted him. —

That it has so happened from the absence of your Petitioner's Agent and other causes, that this has been done without her knowledge or that of her Agent until after the time allowed for appealing from that Decree granting Administration was closed.

That this is evident to the satisfaction of the said Haven, who therefore joins his consent with her desire that she may have liberty granted her yet to appeal from said Decree to the next Superior Court to be holden in said County, the foregoing accidental Lapse of time notwithstanding —

Wherefore she prays your Honours to order and enact that She may yet have Liberty to take out an Appeal from said Decree, (giving bond to prosecute it) to Said next Superior Court, as the Supreme Court of Probate, and enter and prosecute said appeal as tho' taken out in time — And She as in Duty bound shall ever pray &c

Portsmouth Decr 7th 1791. Thos Martin Attorney to the said Mary Tufton Mason

I hereby agree to the foregoing Representation, and consent that an Appeal as aforesaid should be granted —

Nathl A. Haven.

State of New Hampshire —

In the House of Representatives Decr 9th 1791

Upon reading and considering the within petition voted that the prayer thereof be granted and that a Bill be brought in accordingly —

Sent up for Concurrence William Plumer Speaker

In Senate the same day read & concurred

J. Pearson Sec^{y}

[8–53] [*James McGregore, Commissioner of Claims.*]

Portsmouth Decr 7th 1791

Sir In pursuance of the trust reposed in me as one of the Commissioners for stateing & proveing the Claims of this State against the United States, I on the 25th day of October last called upon Mr Woodbury Langdon (who was then in this Town) for information respecting the progress that had been made towards a Settlement of our Accounts and what further steps were necessary to be taken on the part of the State to procure them Justice, his answer I think was that he neither knew the State or me in the bussiness and that he should make no communications to me upon the subject if I was then a little surprised at this answer I cannot help saying, that I am much more so upon being informed by a friend in Philadelphia that he Mr Langdon

was at this time for our use furnished by the Board with a Memorandum of the Vouchers wanting to ascertain our various claims — In consequence of Mr Langdon's reply I imedeatly wrote Mr Smith to procure from the other Gent^n^ join'd in the Commission the necessary information and I now do myself the honour to inclose for the information of your Excellency and the Hon^bl^ Legislature a Copy of the Report of the Commissioners upon the subject — From the time I was honour'd with this appointment I have paid verry particular attention to its duties and alth^o^ deprived of the assistance of the other Gentlemen who were appointed to Act with me in this bussiness, the vouchers to support the most considerable part of the charges said to be unsupported are nearly ready to go forward, some part of the articles of charge yet unproved may I conceive be so explain'd by Resolves of the Legislature and other Documents as to gain a strong probability of their admission, whilst a smaller number from particular circumstances must remain unsupported I wou'd beg leave to suggest to your Excell^y^ whether there would not be a propriety in sending forward the Accounts and Vouchers now nearly ready as soon as may be and would ask direction with regard to the mode of forwarding them as they are original papers and of the last importance to the State —

such further information which I have received upon the present situation of the claims of the different States as may be proper I am ready to communicate

haveing the Honor to be with the utmost respect

Your Excellencys Most Obed^t^ & Verry Humb^l^ Servt

James Macgregore

His Excellency Josiah Bartlett Esquire Presedent of the State of New Hampshire

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[8–57] [*Petition of Dudley B. Hobart of Exeter.*]

To the Honorable the Senate and House of representatives for the State of New Hampshire

Humbly sheweth Dudley Bradstreet Hobart of Exeter in said State, that he is come into possession of the rolling, plating, slitting mill, & furnace lately erected in said Exeter, that said works were well constructed and finished to answer the end for which they were made — but the scarcity & high price of iron in this State, has rendered the works of but little value either to the publick or the

owner, more particularly because the owner was not able after building said works, to furnish a sufficient stock to carry them on with advantage, — And as your petitioner has lately come into possession of said works, & is desirous of improving them to his own as well as the publicks advantage, Humbly prays the honorable Court to Assist him in this Necessary business, by the loan of three Hundred pounds for two years (by his giving sufficient security for the same) which he is persuaded will enable him to make the works of publick as well as private utility — And your petitioner as in duty bound prays

Dudley B. Hobart

Exeter Jany 3rd — 1792.

[*Ratable Polls in New Hampshire.*]

[Belknap Papers, Vol. II., p. 320.]

Sec^{ys} Office March 12th 1792

Dear Sir In compliance with your request of the 3^{d} Inst^{t} after spending several days in searching the files books &c the only number of Rateable Polls which are to be found in my Office from 1742 to 1773, are as follows Viz —

5,172 Rateable Polls in A D 1742 no return from Nottingham Barrington & Gosport

6,392 d^{o} A D 1753

11,964 d^{o} A D 1767.

13,853 d^{o} A D 1773 — Whether 5 or 6 times the Number of Rateable Polls will give the number of the People with any degree of certainty, am at a loss to say — in A D 1775 the N^{o} of People were computed to be 82,200 — Should have inclosed a copy of the petition of the Insurgents Convention for paper money, could it have been found — I suppose it is in the possession of the Clerk of the House of Rep^{s} —

I am, with all due sentiments of Esteem & Respect Dear Sir

Your Most Obedient and Most Humble Servant

Joseph Pearson

Revd Mr Jeremy Belknap —

[A note in another handwriting, reads, "The number of ratable polls in 1732 was 2946. — Rec^{d} in Sec^{ys} Office, 1830." — Ed.]

[8–60] [*General Bellows' Resignation.*]

Walpole May 15th 1792

May it please your Excellency —

As I have stood in the Military line some years and the old age says "Young men for War" I have thoughts of resigning my Military Commission, that some Younger and better Qualified Officer (of which I am Conscious there maney) may take it — In a time of peace it is requisite that men of Activity and Military Talents be Employed, to form the Militia for Actual service if war should arise, and as there are men of this Description as I apprehend Superior to myself in that Department and who take delight in the Employ, you will therefore be pleased to Accept of my Resignation and confer the post upon some one whom it belongs and will fill it better

I am with due respect

Your Excellencys most Obedient Humbl Servt

Benja Bellows M Genl

His Excellency Josiah Bartlett Esqr

Resignation Not accepted — J. Bartlett

[8–61] [*Stephen Harriman's Statement.*]

Hopkinton may: 18: 1792

To Thos Bartlet Chogsweel & majr Holms Esqr Sirs I Have been accuesed of making Sum mistake in ye Calculation in ye Paper I gave to you I will alow I may have Don So in ye 3 towns which I Devided, Part to be Reconed one way & Part to be Reconed another way, which I ded according to my own Judgment or my amajanation at that time: I may have Errored Some Small matter in that Enstance but otherways I Challinge ye wholl County to make it appear other ways than what I have Represented to your Honours in ye writing which I deliverd to you —

and Concerning ye South Part of ye County it is well Known that almost ye wholl if not Quite ye wholl of ye Said South Part must Travel 7 or 8 miles further to get to warner then to get to Either of ye other Placeses in Nomination

at m^r weggenses those that Can get Easear to his house then at m^r Emersens are as followeth

goffstown	Holles	Nearer then m^c heards
Bedford	Lynesbourgh	or hanaker is
meremick	Lynesbourgh goar	goffstown
Dunstable	mason	Bedford
Notingham	New Ipswich	meremick
Litchfield	New Boston	Dunstable
Derefield	Petersbourgh	Notingham west
derefield goar	Raby	Litchfield
at Emersons	Sharon	Derefield
Amhurst	Sosiety Land	Derefield goar
Duxbury & mile Slep	Temper	about ½ wied
francistown	wilton	
Hancock	at Emersons	

and all ye Remainder are So Near of a Distance I Cannot tell which would be ye furthrest Travel to get too.

The above Sirs is as Neare a Scatch of ye matters as I Can Posable Recolect, from your most obedient Humble Sarvent

Stephen Harriman

[8–62] [*From Selectmen of New London,* 1792.]

to the commetee Lately chosen by the general Cort of the state of New Hampshier to Vue the northely part of the County of Hillsbourigh to pick A place for the Cort-House — we beg Leave to inform your Honours that the whole of the traviling from this town to Hopkinton Concord or Amhers is through warner from your Humble Servents

Newlondon may 28th 1792.

Benj^a Woodbury, Joseph Colby, Thomas Currier } Select men for Newlond on

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[8–64] [*Act to Establish Washington County.*]

State of New Hampshire

In the year of our Lord one thousand seven hundred and Ninety two —

An act for erecting a County by the name of Washington

Be it enacted by the Senate and House of Representatives in general Court convened that there be erected within this State a County

by the name of Washington to be bounded as follows viz begining on the southeasterly corner of Eaton on the line of the State thence on the southerly line of Eaton to the easterly line of Tamworth thence on the easterly lines of Tamworth to the northeasterly corner thereof thence on the northerly line of Tamworth and Sandwich to the line of Campton thence on the easterly lines of Campton Thornton and Goffs location to the northeasterly corner of said location thence to the northwesterly corner thereof thence on straight line to the northeasterly line of Franconia thence on the northerly line of Franconia to the northeasterly line of Concord (alias Gunthwait) thence on the northerly and north westerly lines of said Concord to the bounds betwixt the towns of Littleton and Dalton thence on the line betwixt said Littleton and Dalton to the westerly bank of Connecticut river thence up said river on the westerly bank thereof to Canada line as settled by the treaty of peace with Great Britain — Thence on said Canada line until it strikes the line between this State and the State of Massachusetts thence on said line to the bounds first mentioned And all the lands and water included within the bounds aforesaid shall be and hereby are set off from the several Counties to which they now belong, and erected into a seperate County by the name of Washington.

And be it further enacted that the Court of common pleas for the County of shall be holden at on the first tuesdays of February and May annually and at on the first tuesdays of July and October annually — And the Superior Court of Judicature shall be holden at Conway and Lancaster alternately begining at the first — on the first tuesday of June annually —

Provided nevertheless that until the first day of January which shall be in the year of our Lord one thousand seven hundred and Ninety four the aforementioned lands shall remain and belong to the Counties unto which they now respectively belong, to all intents and purposes the same as if this act had not been made —

[8–65] [*Petition for Lottery*, 1792.]

To the Honorable Senate and house of Representatives of the State of New Hampshire conveined at Dover June 11th 1792

The Petition of the Trustees of Atkerson, Amherst, New Ipswich, and Charlestown Academies — Humbly sheweth —

That the Legislature of said State have at different Periods passed

Acts incorporating the Acadimes aforesaid for the purpose of Increasing Piety, Industry, Learning, and useful Arts — And whereas the good Intentions of the Legislature in establishing said Academies, will so far as it respects some of them be greately lessened, and to others wholly lost if no plan can be devised to increase their Funds, and lay a more permanent foundation for their support, and as all other means have proved ineffectual, the Trustees from a Sense of their duty apply to your Honours to grant a Lottry, or Lottries for the purpose aforesaid, to raise such sum or sums, and under such regulations & restrictions as your Honors shall think proper for the immediate relief of Some, and to increase the usefulness of others; as from an examination into their situation may appear just and reasonable —

The Trustees will not at this time trouble your Honors with the reasons that Accur to them, of the propriety, Justice, and policy of giveing substantial encouragement for the support of those Seminaries agreeable to the Spirit of the Constitution, as they are too obvious to escape your Honors notice —

Your Petitioners Conceive it therefore only necessary to prove the facts before stated which they pledge themselves to do if they can have opportunity —

Your Petitioners therefor pray Your Honors to grant them the priviledge of raising a sum of Money by Lottery for the Aforesaid Purpose, or give them such other relief as your Honors in your wisdom shall see fit And your Petitioners as in Duty bound will ever pray

Dover June 11th 1792

John Calfe in behalf of the Trustees of Atkinson Academy.
Josha Atherton for Amherst Academy
Charles Barrett for New Ipswich Academy
W. Page for and in behalf of Charlestown Academy

Your Committee, on the Petition of the Trustees of Atkinson, Amherst, New-Ipswich and Charlestown Academies, Are of opinion that to promote the Education of the Youth of this State is an object worthy the attention of the Legislature, — And in Order to enable the Trustees aforesaid to prosecute their plan — that they be allowed to Raise the sum of three thousand pounds by Lottery, at the expence of the said Trustees under such Regulations as the Legislature shall direct. John Bellows for the committee

[Endorsed] report rejected —

[8–66] [*Report of Treasurer Gilman*, 1792.]

State of New Hamp^{s} Dover June 14th 1792

The Treasurer of the State being appointed by a Vote of the General Court of the 5th day of January last "to Receive from the proper Officers and forward on to Philadelphia such Vouchers as have been collected for the purpose of supporting the Claims of this State against the United States and having this day Received a Vote of the General Court Requesting a Report on that Subject, Respectfully Reports, That he called upon James Macgregore Esqr under whose care those Vouchers were, and was informed that they were not Arranged in such manner as would be Necessary and that it would Require some considerable time to prepare them — Since Mr Langdon (One of the Commissioners) Returned home, and Congress adjourned, so that the papers could not be sent to the care of the Representatives, as directed in the Vote of Court, The Treasurer supposed a short delay would not be injurious, but informed Mr Macgregore that he would Receive them as soon as they were Ready —

Within few days Mr Macgregore has informed that the Arrangement of those Vouchers is not Compleated —

If the Honorable Court should not think proper to make any other Arrangement Respecting this business, as soon as the Vouchers can be Obtained they shall be Immediately forwarded to the Commissioners — J T. Gilman

To His Excellency the President the Honorable the Senate and The Honorable the House of Representatives

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[8–67] [*Sir William Pepperell's Petition.*]

State of New Hampshire } To the Honble the Senate and House of Representatives in General Court convened at Dover in said State ;

The Petition of Sir William Pepperrell of London in the Kingdom of Great Britain Baronet Humbly sheweth,

That your Petitioner's late brother Andrew Pepperrell Esqr late of Portsmouth in said State, by his last Will and Testament after a number of Legacies and bequests made your Petitioner his residuary Legatee. — That in this residuary Legacy and Devise was included the Remainder in fee of a Farm in Newmarket and of certain Lands in Nottingham, Chichester and other Lands in said State, which lately belonged to Sir William Pepperrell late of Kittery in the County of York and Commonwealth of Massachusetts Baronet deceased, and were by him devised to the said Andrew in fee, after the

decease of Lady Mary Pepperrell and Madam Elisabeth Sparhawk.— That Your Petitioner who was Executor as well as residuary Legatee, caused said Will to be duly proved; administered and paid the Debts and Legacies, both in England and the United States to a large amount; and this he did in great measure out of his own monies, not entertaining when he did it a doubt of receiving the residuum of the real as well as personal Estate, according to the Tenor of said will. Nor had the said Andrew who made his will, and died in England, any idea of there being the least difficulty in your Petitioner's holding said Lands as appears by making his will in manner aforesaid by the advice of learned Council there. But your Petitioner is now instructed that not being a Citizen of the United States, he cannot take and hold said Estate in remainder by virtue of said will; nor receive the *benefit*, intended as the counterbalance of the *burden*, which he has already sustained, unless aided by the equitable interposition of your Honours. —

He therefore prays your Honours, to pass an Act enabling him and his heirs, to take and hold said Remainder in said Lands, by virtue of said will, for the special purpose of selling and conveying the same, to any person capable of taking and holding the same as an Estate of inheritance; and fully to authorise and empower Your Petitioner or his heirs, at any time within five years after his children shall arrive at full age, or after the decease of the said Madam Elisabeth Sparhawk, to sell and convey said Remainder in said Lands, and give the same title thereto, as he could have done had he been a Citizen, to any Citizen of this, or any other of the United States. Or otherwise relieve him in the premises, as to your wisdom shall seem meet, and he as in duty bound shall ever pray &c &c.

William Pepperrell
by his Attorney
Dan[l] Humphreys

Dover June 14[th] 1792

State of New Hampshire —

In the House of Representatives June 18[th] 1792. —

The Committee on the petition of William Pepperell reported that the prayer of said petition be so far granted that the petitioner have leave to bring in a Bill for the purposes mentioned in said petition. Which report was read & considered received & accepted —

Sent up for Concurrence — Jn[o] Sam Sherburne Speaker

In Senate June 19 1792 read & concurred

J Pearson Sec[y]

[8–68] [*Road from Concord to Durham.*]

We the subscribers having been appointed a Committee by the General Court of Newhampshire on the tenth day of December Anno Domini 1791 with full power and authority to survey and lay out a public road or highway from Concord in the county of Rockingham to Durham-falls in the county of Strafford and from Newmarket bridge to join the aforesaid road both in the shortest and most convenient rout and to make a true plan thereof: and we having duly attended on the business of our appointment and completed the same, now beg leave to report as follows —

In the first place we have surveyed and laid out a highway leading from Durham falls aforesaid to Concord aforesaid in the following manner — viz — Begining one rod westward of Durham bridge and thence running North fifty degrees west twenty rods; thence N. 15 deg. W. 24 rods — thence W. 27 deg. N. 28 rods — thence W. 39 deg. N. 76 rods — thence N. 38 deg. W. 42 rods — thence W. 35 deg. N. 10 rods — to the place where it leaves the present road — thence W. 5 deg. N. 100 rods — thence W. 32 deg. N. 20 rods — thence W. 14 deg. N. 32 rods — thence W. 4 deg. N. 76 rods — thence W. 17 deg. N. 14 rods — thence W. 2 deg. N. 14 rods — thence W. 7 deg. N. 114 rods — where it joins the now road at the end of a causeway near John Thompsons — thence W. 29 deg. S. 10 rods — thence W. 5 deg. S. 100 rods — thence W. 10 deg. S. 75 rods — thence west 5 deg. N. 48 rods — thence W. 23 deg. N. 128 rods — thence W. 12 Deg. N. 45 rods to the road leading to Lee meeting house — thence leaving Lee road, N. 22 deg. W. 42 rods — thence N. 40 deg. W. 76 rods — thence W. 31 deg. N. 76 rods — thence W. 6 deg. S. 28 rods to where it leaves the present road at Wheelwright pond — thence W. 6 deg. S. 46 rods — thence W. 14 deg. N. 20 rods to where it joins the present road — thence W. 14 deg. N. 68 rods — thence W. 17 deg. S. 38 rods — thence W. 24 deg. N. 20 rods — thence W. 38 deg. N. 78 rods — thence W. 3 deg. N. 80 rods to where it leaves the now road by Daniel Shaws — thence W. 3 deg. N. 100 rods to the road again — on the line of Barrington — then, leaving said road, W. 1 deg. S. 120 rods to the line of Notingham — thence in the same direction two rods thence north 43 deg. W. 200 rods and being parallel with the line between Nottingham and Barrington — thence W. 22 deg. N. 100 rods to the place where it strikes the road leading from Lee to Northwood — thence W. 10 deg. N. 30 rods — thence N. 41 deg. W. 20 rods — thence W. 39 deg. N. 16 rods, thence W. 2 deg. S. 14 rods — thence W. 19 deg. N. 44 rods to an oak tree at Caleb Jollets — thence across Cap Leather's land W. 10

deg. N. 18 rods — thence W. 10 deg. S. 8 rods — thence W. 8 deg. S. 18 rods — thence W. 2 deg. S. 32 rods — thence W. 9 deg. S. 10 rods — thence W. 19 deg. S. 12 rods — thence W. 13 deg. N. 14 rods — thence W. 38 deg. S. 20 rods to the present road again — thence crossing said road W. 6 deg. N. 32 rods — thence W. 7 deg. S. 46 rods to the road again by Charles Stevens's — thence W. 23 deg. N. 39 rods — thence N. 25 deg. W. 23 rods — thence W. 20 deg. N. 99 rods — thence W. 32 deg. N. 52 rods — thence N. 35 deg. W. 32 rods — thence W. 43 deg. N. 81 rods — thence N. 39 deg. W. 65 rods to Major Jonathan Cilleys — then, leaving the present road and running N. 34 deg. W. 232 rods to the road again — thence N. 37 deg. W. 295 rods — thence N. 30 deg. W. 85 rods — thence W. 30 deg. N. 57 rods — thence N. 30 deg. W. 50 rods — thence, leaving the road, N. 42 deg. W. 140 rods to the road again — by Cap Furbur's mill — thence W. 5 deg. S. as the road now goes 42 rods — thence N. 45 deg. W. 76 rods — thence N. 44 deg. W. 516 rods — thence W. 21 deg. N. 68 rods — thence W. 14 deg. N. 128 rods — thence W. 34 deg. N. 300 rods — thence W. 33 deg. N. 164 rods — thence W. 27 deg. N. 66 rods — thence W. 23 deg. N. 31 rods — thence W. 14 deg. S. 27 rods — thence W. 4 deg. S 30 rods — thence W. 12 deg. S. 81 rods — thence W. 13 deg. N. 47 rods — thence W. 28 deg. N. 48 rods — thence N. 53 deg. W. 54 rods — thence N. 15 deg. W. 30 rods — thence W. 37 deg. N. 30 rods — thence N. 20 deg. W. 32 rods — thence N. 33 deg. W. 47 rods to Col Johnsons at the narrows — thence W. 5 deg. N. 130 rods — thence W. 14 deg. N. 128 rods — thence W. 7 deg. N. 76 rods — thence W. 41 deg. N. 36 rods — thence W. 7 deg. S. 34 rods — thence W. 8 deg. N. 32 rods — thence N. 30 deg. W. 22 rods — thence N. 32 deg. W. 18 rods — thence W. 34 deg. N. 26 rods — thence W. 8 deg. S. 22 rods — thence W. 31 deg. S. 44 rods — then W. 29 deg. S. 14 rods — then W. 12 deg. S. 54 rods to where it leaves the road leading to McClary's mill — thence W. 15 deg. S 24 rods — thence W. 24 deg. N. 40 rods — thence W. 24 deg. N. 14 rods — thence W. 28 deg. N. 36 rods — thence W. 14 deg. N. 70 rods — thence, crossing Pittsfield road, W. 24 deg. N. 30 rods — thence W. 4 deg. N. 20 rods — thence W. 11 deg. S. 8 rods — thence W. 10 deg. S. 22 rods — thence W. 3 deg. S 32 rods — thence W. 31 deg. N. 18 rods — thence W. 7 deg. S. 48 rods — thence W. 31 deg. S 24 rods — thence W. 14 deg. S. 114 rods — thence W. 21 deg. S. 90 rods — thence W. 12 deg. S. 60 rods — thence W. 14 deg. N. 40 rods into the road near Lockes mill leading from Epsom to Chichester — thence W. 29 deg. N. 44 rods — thence W. 11 deg. N. 88 rods — thence W. 23 deg. N. 120 rods — thence W. 31 deg. N. 88 rods — thence N. 23 deg. W. 66 rods — thence N. 1 deg. W. 54 rods — thence N. 24

deg. W. 106 rods to Suncook river — thence crossing said river W. 5 deg. N. 82 rods — thence W. 16 deg. S. 38 rods — thence W. 26 deg. N. 128 rods — thence, leaving said road, W. 18 deg. S. 84 rods to the line of Chichester — thence in the same course 36 rods — thence W. 5 deg. S. 254 rods — thence W. 10 deg. S. 170 rods — thence W. 40 rods — thence W. 5 deg. N. 20 rods — thence W. 13 deg. N. 40 rods — thence W. 18 deg. N. 30 rods — thence W. 25 deg. N. 23 rods — thence N. 40 deg. W. 36 rods — thence W. 27 deg. N. 60 rods — thence W. 26 deg. N. 18 rods — thence W. 2 deg. N. 50 rods to Nathaniel Morrils — thence W. 9 deg. N. 68 rods — thence W. 14 deg. N. 92 rods — thence W. 92 rods — thence W. 30 deg. N. 40 rods to Suncook river — thence W. 14 deg. S. 440 rods — thence W. 3 deg. N. 206 rods to Capt Reuben Kimball's — thence W. 30 deg. S. 92 rods to Merimack river, thence crossing said river in the same course 144 rods — thence W. 40 deg. S. 40 rods — thence W. 28 deg. S. 260 rods — thence W. 20 deg. S. 20 rods — thence W. 2 deg. S. 20 rods to the main road in Concord about 40 rods north of the Court house — the aforesaid highway to be 4 rods wide on the north easterly side of said described line —

And in the second place we have surveyed and laid out a highway from Newmarket to the road above laid out in the places and courses following viz — Begining one rod westerly from Newmarket Bridge, thence running N. 20 deg. W. 56 rods — thence N. 10 deg. W. 140 rods — thence N. 40 deg. W. 80 rods to the meeting house — thence N. 10 deg. W. 40 rods — thence N. 5 deg. West 40 rods — thence N. 28 deg. W. 64 rods — thence N. 13 deg. W. 48 rods — thence N. 29 deg. E. 46 rods — thence N. 52 deg. E. 46 rods — thence N. 39 deg. E. 16 rods — thence N. 3 deg. W. 58 rods — thence N. 54 deg. W. 76 rods — thence N. 10 deg. W. 60 rods — thence leaving the present road near Doc^{t} Kidders W. 31 deg. N. 11 rods — thence W. 6 deg. S. thirty seven rods — thence W. 31 deg. N. 17 rods — thence W. 2 deg. W. 18 rods — thence W. 41 deg. W. 60 rods — thence W. 40 deg. N. 18 rods to the road again by Cornett Smiths — thence W. 16 deg. N. 36 rods — thence N. 32 deg. W. 66 rods — thence W. 25 deg. N. 60 rods — thence N. 40 deg. W. 100 rods — thence W. 40 deg. N. 42 rods — thence W. 8 deg. N. 18 rods to the upper meeting house in Newmarket — thence on the same course 18 rods — thence W. 23 deg. N. 60 rods — thence N. 30 deg. W. 54 rods — thence N. 33 deg. W. 62 rods — thence N. 43 deg. W. 112 rods — thence N. 7 deg. W. 72 rods — thence North 5 deg. E. 34 rods — thence leaving the now road, at the corner of Capt Tuttles orchard thence N. 33 deg. W. 100 rods to the road again — thence crossing said road in the same direction 134 rods to the road

again — thence N. 15 deg. W. 80 rods — thence N. 44 deg. W. 140 rods — thence N. 41 deg. W. 60 rods to Lamprey river — thence N. 27 deg. W. 100 rods — thence, leaving the road and running in the same direction 78 rods to the road again — thence crossing the road in the same course 22 rods to Elijah Cartlins tavern — thence W. 42 deg. N. 79 rods — thence W. 4 deg. N. 25 rods — thence N. 33 deg. W. 90 rods — thence N. 8 deg. W. 82 rods — thence W. 15 deg. N. 40 rods — thence N. 43 deg. W. 25 rods — thence W. 40 deg. N. 90 rods — thence N. 42 deg. W. 27 rods — thence W. 37 deg. N. 65 rods — thence N. 33 deg. W. 88 rods — thence N. 13 deg. W. 18 rods — thence N. 3 deg. E. 11 rods — thence N. 4 deg. E 20 rods — thence N. 45 deg. W. 44 rods — thence N. 27 deg. W. 43 rods — thence N. 31 deg. W. 18 rods — thence N. 37 deg. W. 30 rods at which place it joins the road laid out as aforesaid from Durham to Concord — the said highway to be 4 rods wide on the easterly line described as aforesaid : and in the opinion of your committee the roads surveyed and laid out as above described, are the most eligible that the nature of the country through which they are intended will admit of — and we report them so accordingly —

Joseph Badger Jr.
Henry Gerrish } Committee
Nathan Hoit

And we the Committee aforesaid by virtue of our said commission have determined that the compensation following shall be made to the several persons thro' whose land the road laid out by us as aforesaid pass, for the injury they may receive in consequence thereof — viz —

Persons Names	Towns	Sum allowed.	Number of Rods of Land pass[d] thro'—
To Walter Bryant Esq	Newmarket	£20,,0,,0	72
Winthrop Smith	Newmarket	—40,,0,,0	88½
Elijah York	Lee —	—25,,0,,0	50
Cap Tuttle	Lee —	—25,,0,,0	50
Ichabod Hilton	Lee —	—36,,16,,0	134
Samuel Matthews	Lee —	— 7,,19,,6	34
James Jenkins	Lee —	—10,,6,,8	49
Hunkin Dame	Lee —	— 2,,0,,0	22
Jonathan Warner Esq.	Durham —	—66,,5,,0	190
Col: Stephen Evans	Durham	— 2,,10,,0	10
John Thompson	Durham	65,,0,,0	170
Aaron Hanson	Lee —	18,,1,,6	66
Daniel Shaw	Lee —	7,,16,,0	24
John Wendall Jun	Lee —	6,,0,,0	76
William Elliot	Barrington	3,,0,,0	12
Thomas Langley	Barrington	9,,2,,0	36
James Glass	Barrington	20,,0,,0	100
James Glass Senr	Notingham	8,,0,,0	100 half width
Bumford	Barrington	3,,0,,0	100 D°
Runnells	Barrington	1,,2,,6	60 D°
Thomas Packer	Notingham	15,,0,,0	100 whole width
Cap. Leathers	Notingham	4,,0,,0	162—
Maj[r] Jonathan Silley	Nottingham	28—16—0	222
Jacob Davis	Nottingham	2—8—0	36
Anthony Pickran	Nottingham	12—16—0	104
Ephraim Pettengale	Epsom	9—0—0	100
Jethro Pettengale	Epsom	2—12—0	30
Solomon Drew	Epsom	8—0—0	98
Ephraim Lock	Epsom	5—0—0	64
Jethro Blake	Epsom	8—16—0	84
Isaac Libbee	Epsom	6—0—0	80
Samuel Lock	Epsom	2—2—0	46
Batchelor	Chichester	4—10—0	89
George Serjeant	Chichester	3—0—0	90
Jabez Green —	Chichester	2—12—0	50
William Seavy —	Chichester	15—0—0	111
Nathaniel Morrill	Chichester	11—10—0	52
Malch Hanes	Chichester	3—10—0	78

Also Reserving to the Several persons through whose Land Said Road Shall pass all the wood and timber there is on Said Road Except So much as Shall be wanted to Repair Said road. the foregoeing in our best Judgment is a Just Estimate of the Damage it may do the Several persons through whose Land the road Shall Pass & we Report the Same accordingly. —

June 16th 1792

Joseph Badger Jr
Henry Gerrish } Committee
Nathan Hoit

State of New Hampshire

In the House of Representatives June 21st 1792 —

Upon reading and considering the following report of the Committee appointed by the General Court on the 10th Day of December A Domini 1791 to survey and lay out a public road or highway from Concord in the County of Rockingham to Durham-falls in the County of Strafford and from Newmarket bridge to Join the aforesaid road &c. voted that the same be received & accepted with this alteration that said road shall not be considered as laid out any farther in Epsom than from Chichester line to Suncook bridge then to follow the old road as now used till it comes to Northwood road near McClary's Mills then to follow said road thro' Epsom agreeable to the report of the Committee —

Sent up for Concurrence Jn. Sam Sherburne Speaker

In Senate the same day read & concurred

J. Pearson Secy

[8-69] [*Petition for Road from Dover to Northwood.*]

To the Honourable the Senate, and House of Representatives, in General Court convened at Dover, the first Wednesday of June 1792 —

The Memorial of the Subscribers, Inhabitants of the Towns of Dover, Rochester, Barrington, Madbury & others — Humbly shews,

That the Legislature, at a late Session, with a view to the public Good, and the general Interest of the State, in facilitating transportation within the same, appointed a Committee to look out a road from Concord in the County of Rockingham to Jona Clark's in Northwood & thence upon a direct line to Durham.

That said Committee in prosecuting that Business, have found, that the distance from said Clark's to Dover is but one Mile further than to Durham, and the ground capable of being made a much better road at less expence —

That a direct Communication with Concord and the neighbouring towns, will be of immense consequence to the Towns in this Quarter, and an important acquisition to the internal trade of a State which has so little Connection with the Sea as ours — and will probably confine within ourselves that Commerce, from which a neighbouring State derives at present a great advantage. Your Memorialists would presume that an object of such Magnitude, will interest the Minds of

a Legislature, attentive to every thing which can tend to promote the Commerce, Agriculture, Riches, & prosperity of a State: and they pray that your honors would take the premises into your wise Consideration, and for the above reasons & those which prevailed at a former Session, you would appoint a Committee to look and lay out another road from Dover to meet the former, at said Clark's in Northwood, in such way & manner as you in your great wisdom shall think Meet, and your Memorialists as in Duty bound will ever pray &c —

Otis Baker	John Phillips Gilman	Vaughan Jones
Benj^{a} Titcomb	Abraham Duncan	Philip Harty
Ezra Green	John Remick	James Calef
W^{m} K : Atkinson	Jno Rindge	Asa Tufts
Prentiss Mellen	Nathl Weld	David Place
Ed Livermore	Janvrin Fisher	Abr^{m} Waldron
John Odiorne	David Boardman	Jonathan Flagg
Jon^{a} Rawson	Mark Walker	Daniel Hussey
Moses Wingate	Timo^{y} White	Paul Hussey
Moses Canney	Saml Bragg	Isaac Waldron Jr
Saml Wentworth	James Smith	David Waldron
Chas Clapham	Isaack Gould	Stephen Lamos
Benj^{a} Dean	Elijah Perkins	Moses Roberts
Eben^{r} Tebbets	Caleb Hodgdon	Smith Emerson
Isaac Watson		

State of New Hampshire

In the House of Representatives June 21st 1792.

Upon reading and considering the within petition voted that Joseph Badger J^{r} Henry Gerrish and Nathan Hoit Esquires be a Committee at the expence of the petitioners with full power and authority to lay out a public road or highway from Dover to join the new laid out road at or near Jonathan Clark's Esquire's in Northwood and report thereon at the next Session —

Sent up for Concurrence Jno Sam Sherburne Speaker. —

In Senate the same day read and concurred

J Pearson Sec^{y}

[8–70]

[Plan of the above road on a scale of two hundred rods to an inch, by Henry Gerrish, surveyor. — Ed.]

[8-71] [*Petition for Road from Chester to Walpole.*]

To the Honorable Senate and House of Representatives of the State of New Hampshire in Gen[ll] Court Convned — the Petition of the Subscribers — Humbly Sheweth that a road Laid Out and made Passable from Chester through Derryfield and Goffstown to Walpole to Hale's bridge would be of Great Public Utility — therefore your Petitioners being Emboldened and incited thereto by the Address of His Excellency made to your Honors this Session of which you have Expressed your Approbation and Resolution of Pursuing — we most humbly Pray your Honours that a road may be Laid Out and made Passable from Chester through Derryfield and Goffstown to Walpole —And that a Committee may be Appointed for the Purpose of Surveying and Laying Out Said Road in the most Convenient Place for the Public intrest and as in Duty bound will Ever Pray &c —

Exeter Nov[r] 23[th] 1792

Ed Livermore	Archelaus Temple	John Hogg
Sam[l] Dana	James Flanders	Jon[a] Steele
Dan[l] Warner	Jer[h] Eames	David Starret
olover Holmes	Francis Epes	Joseph Herrick
James Whittemor	Eben[r] Webster	

The Committee on the within Petition, report; that a Committee be appointed for the purposes within mentioned. —

John Bellows for the committee

[8-72] [*Petition from Page and Morris.*]

To the Honorable Senate & House of Representatives Conviened at Exeter Dec[r] 5[th] 1792

The Petition of William Page and Lewis R. Morris Humbly sheweth

That they have long had it in contemplation to render Connecticut river Navacible for Boats by Bellow's falls to effect which purpose they found it necessary to cut a cannal and erect locks on the west side of the river, did therefore apply to the Legislature of Vermont and have obtained from them a grant for that purpose, but in order to complete the business, and render it safe for the undertakers find it necessary to obtain a similar act from the Legislature of New

Hampshire — they therefore pray your Honors to pass such an act & your Petitioner's as in duty bound will ever pray

Exeter Decr 5th 1792

W Page for hims elf and in behalf of Lewis R Morris

[8–73] [*Petition of William Gardner*, 1792.]

To the Honorable The Senate and House of Representatives in General Court now convened at Exeter.

The Petition of William Gardner, late Agent Clothier, in the State of New Hampshire, Humbly Shews,

That on the 11th day of September 1777 — Your Petitioner was written to by the Honorable Committee of Safety then sitting at Exeter, requesting in the most pressing manner, a supply of Cloathing for the Troops of the New Hampshire line, who had evacuated Ticonderoga, setting forth that they were in a deplorable condition — being almost Naked — having nothing but the Canopy of Heaven to cover them — and that many of whom had Died solely for the want thereof.

That Your Petitioner being deeply impressed with their melancholly situation, and wishing to alleviate their wants as far as might be in his power, enduced him to wait on the said Committee of Safety, and laid before them a true Statement of the Cloathing he was possessed of — and what further supply might be had provided they would furnish him with a sum of Money adequate to the exigences of the case —

The Committee of Safety so far complied, as to give an Order on the Treasurer for Three thousand Pounds, which was paid; and your petitioner immediately on receiving the same, set about prosecuting the business in question; and such was his dispatch, that in a few days after the requisition was made by the said Committee of Safety — he actually sent off to the Army under care of a suitable person, sundry Waggons containing a good supply of excellent Cloathing, consisting of Coats — Vests — Overalls — Shirts & Shoes amounting to Six thousand three hundred twenty four Pounds three shillings & seven pence half penny, exclusive of the expence of transportation — which Articles, he gave positive directions to be appropriated to the particular use of the New Hampshire Troops — and which were accordingly delivered.

That notwithstanding the Troops had the benefit of the Money advanced by the s[d] Committee of Safety, yet your petitioner was held accountable to the State, that the money should be returned on his being reimbursed by the United States: — but such was the deranged situation of our public Affairs at that time that he could not procure reasonable Remittances to enable him to replace the Money, or even to pay for the purchases he was continually making, on Credit, for the Army; which articles were sent on as fast as they could be procured, frequently as far as Valley Forge — he being disposed to serve the public to the utmost in his power — having zealously embarked in the cause of liberty.

Your Petitioner finding his situation such, that he could not make speedy payment to the State, and having at that time a quantity of excellent Fire-Arms in his hands, which were left with him by a French Gentleman for sale — and knowing the State were in want of that Article, induced him to offer them in payment, at a lower rate than could be afforded — which offer was accepted, and a Committee appointed to receive them viz[t] Supply Clap & George Gains Esq[rs], who took into their possession as many as amounted to Two thousand three hundred & thirty three pounds — leaving a balance of Six hundred & sixty seven Pounds due to the State, which they might also have had, but the Committee were limited as to the number.

Your Petitioner during his Agency was under continual embarrassments for Money to discharge the demands against him in behalf of the Public — which was the sole cause of the balance aforesaid remaining unpaid: although it would have been received at the Nominal value any time prior to the passing the Depreciation Act, allowing it to have been due from him as an Individual — much more Just to have received it from him as a public Agent, especialy when the State had the benefit of it.

That on the settlement of his Account with the United States, a Balance was due to him of Seventeen Thousand One hundred & fifteen pounds three shillings & seven pence half penny — which your petitioner was obliged to receive at the rate of *Seventy* for one in Final settlement Notes signed by Benjamin Walker Esq[r] Commissioner for settling Cloathing Accounts.

By virtue of the power vested in the Commissioners for settling the State Accounts — Your petitioner applied to them on the subject of Settling his Account — laid a true statement of the case before them, and offered payment for the balance due the State at the same Rate he received his balance from the United States: — but notwithstanding the Committee say, they are convinced of the truth of his statement — yet did not conceive themselves at liberty to

adjust the Account according to the mode pointed out — at the same time recommended that application be made for your honors sanction.

Your Petitioner therefore prays that he may have the liberty of paying the balance which remains due to the State, in like manner as he received payment from the United States; which, considering the benefit derived (through him) by the New Hampshire Troops — he conceives himself Justly entitled to — And Your Petitioner will ever Pray — Wm Gardner

Portsmouth December 6th 1792. —

[8–74] [*Road from Dover to Northwood.*]

Agreeable to An Order of the Honll General Court passed at Dover in June Last Appointing We the Subscribers A Committee to Layout A Road from Said Dover to the main Road in Northwood And haveing attened Upon Said Buissness do hereby Return Said Road As follows viz —

Begining at the Courthouse in Said Dover And thence Running South 67 degrees West 18 Rods thence North 83d West 36 Rods Nearly As the Road is Now trod And Improved, thence North 77d West 58 Rods thence North 89d West 46 Rods thence South 55d West 72 Rods thence South 85d West 44 Rods thence South 68d West 54 Rods thence North 75d West 40 Rods thence North 39d West 86 Rods thence North 78d West 72 Rods thence South 74d West 40 Rods thence South 79d West 40 Rods thence North 85d West 32 Rods thence North 53d West 68 Rods thence West 72 Rods thence South 73d West 52 Rods then Left the old Road And Runing South 73d West 14 Rods to Madbury Line thence South 78d West 26 Rods thence North 64d West 182 Rods to the old Road by maul Hansons Barn thence North 16d West 92 Rods thence North 63d West 122 Rods thence North 44d West 60 Rods to moses Renneys thence N 43d West 100 Rods thence North 61d West 126 Rods thence North 51d West 56 Rods to Barington Line thence North 51d West 216 Rods thence South 82d West 68 Rods thence North 54d West 140 Rods to Isaac Waldrons thence North 68d West 80 Rods thence North 42d West 72 Rods thence North 21d West 28 Rods to Barington meetinghouse thence North 39d West 46 Rods thence North 48d — West 36 Rods thence North 17d West 80 Rods thence N 31d West 36 Rods thence North 5d West 40 Rods thence North 18d West 76 Rods to Abraham Waldron's thence North 47d West 218

Rods thence North 75^{d} West 46 Rods thence North 64^{d} West 20 Rods West 60 Rods thence North 65^{d} West 60 Rods thence North 68^{d} West 60 Rods thence South 76^{d} West 150 Rods thence South 60^{d} West 30 Rods thence South 72^{d} West 110 Rods to the province Road thence South 83^{d} West 42 Rods thence North 67^{d} West 32 Rods to Major Samuel Hales thence North 15^{d} West 40 Rods thence North 71^{d} West 16 Rods South 49^{d} West 16 Rods thence South 77^{d} West 48 Rods thence South 72^{d} West 38 Rods thence North 71^{d} West 212 Rods thence North 82^{d} West 54 Rods thence North 47^{d} West 68 Rods thence North 67^{d} West 40 Rods thence South 89^{d} West 116 Rods thence South 69^{d} West 90 Rods thence South 88^{d} West 48 Rods thence North 71^{d} West 94 Rods thence North 26^{d} West 80 Rods to Capt Caverleys thence North 55^{d} West 70 Rods thence North 67^{d} West 124 Rods thence North 75^{d} West 80 Rods thence South 82^{d} West 55 Rods then Left the provence Road And Runing North 85^{d} West 52 Rods thence South 74^{d} West 20 Rods thence South 80^{d} West 56 Rods thence South 63^{d} West 48 Rods thence South 44^{d} West 52 Rods thence South 77^{d} West 46 Rods thence North 82^{d} West 28 Rods thence South 62^{d} West 38 Rods thence South 39^{d} West 46 Rods thence South 59^{d} West 42 Rods thence South 79^{d} West 40 Rods to Northwood Line thence South 79^{d} West 41 Rods thence South 79^{d} West 38 Rods thence South 76^{d} West 468 Rods to Northwood Road between Coll^{o} John Harvey house And Barn the aforesaid Road is four Rods Wide Being two Rods on Each Side of the Above Discrbed Line

Which is humbly Submitted together With A plan of said Road Accompanying the same

Barrington Septr 15th 1792 — Joseph Badger Jn^{r}, Henry Gerrish —, Nathan Hoit — } Committee

State of New Hampshire } In the House of Representatives Decr 6 1792

The foregoing Report having been read & Considered Voted that it be received and accepted.

Sent up for Concurrence — John Sam Sherburne Speaker

In Senate Dec 7, 1792 read and concurred

J Pearson Sec^{y}

[8–75]

[Report of "committee to consider the time proper for the revised constitution to take effect." — Ed.]

[8–76] [*Road from Conway to Shelburne.*]

Agreeable to An Order of the Hon[ll] General Court passed in December 8[th] y[e] 1791 Appointing Us the Subscribers A Committee to Lay Out A Road from Conway to Shelburne And Report A Plan of the Same) And Also At June Sessions 1792 the Above Said Committee Where Desired to obtain Information Respecting the propriety of Laying A Road from Said Shelburne to Percy And Report the Same at the Next sessions of the General Court And haveing Attended Upon Said Business do Report A Plan of Said Road from Conway to Shelburne As is herewith Exhibited Said Road is Layed out four Rods Wide, And haveing Also veiwed And obtained Information Respecting the propriety of Laying A Road from Said Shelburne to Percy do Report As our opinion that A good Road may be had from Said Shelburne to Percy And Think it would be for the Public good for Said Road to be Layed out

Which is humbly Submitted by your Humb[le] Servants —

Nathan Hoit
Eben[r] Smith } Committee
Joseph Badger Jn

State of New Hampshire } In the House of Representatives Dec[r] 19[th] 1792

Upon reading and considering the foregoing report Voted that the same be received & accepted — & that a Bill be brought in accordingly —

Sent up for Concurrence J. Macgregore Speaker P T

In Senate Dec 24 1792 read & concurred

J Pearson Sec[y]

[8–77] [*Report of Road Committee.*]

Exeter Decemb[r] 21[t] 1792 —

Sir We beg leave to observe to Your Excellency, and the Hon[ble] Legislature, That in pursuance of a Vote of the Gen[l] Court of the 21[t] of June 1792. the undersign'd employ'd themselves for several days in y[e] Month of Sep[t] last exploring the Country from Amoskeag bridge through Derryfield, Londonderry, Windham, & Pelham to the State line on the way to the bridge at Pautuckett falls, And in viewing the Several different roads and Routs Shewn and Recommended

by the Inhabitants living on & Near the respective routs — by which we are fully of Opinion that a road may be obtained by a Shorter rout, and better traveling, than any one now used

But for want of An Actual Survey and accurate admeasurement, of some of the proposed routs, the undersigned have Not as yet been able to make their final determination upon the premises, However if the Hon^{bl} Legislature Judge it expedient to give, a Longer time, till June Next to accomplish the undertaking we will endeavor to Compleat ye business of our Said Mission. —

With sentiments of respect, We have the honor to be
Your Excellencys Most obed^{t} and Very Humb^{l} Serv^{ts}

Nathl Peabody
Robert McGregore
James Gibson

His Excellency President Bartlett —

[8-78] [*Petition for More Courts*, 1793.]

To the Honorable the Senate and the house of Representitives in General Court convened at Concord on the first Wednesday of June 1793

This petition humbly sheweth that the subscribers, inhabitants of Canterbury, Loudon, Northfield, Bow, Pembroke & Concord, Labour under many difficulties By reason of the Courts of Judicature being held at the extreme end of the County Viz —

1^{t} — That the Inhabitants are obliged to travel from 40 to 60 Miles to attend said Courts —

2^{d} — That by Reason of such distance, the said inhabitants are subjected to a heavy & unreasonable Tax. —

3^{d} — That said inhabitants do not obtain equal Justice, by Reason of their not having Jurymen from said Towns —

4th — That the distance from the place where the said Courts are held is such, that the Justices Residing in Said Towns cannot conveniently attend the Court of Sessions also many other Difficulties which can plainly be made to appear ; and as your honors at their last Sessions in December last taking under your wise consideration the many difficulties the Inhabitants in the extreem parts of the County of Hillsboro' labour'd under, saw fit to Grant them redress, Your petitioners therefore pray your honors to Grant them redress

in like manner, or in such other way as your honors think Best, & your petitioners as in duty bound will ever pray —

Anthony : S : Stickney	Robert Curry	William Stickney
David Kimbal	Jn° Bryent	David George
Charles Glidden	Samuel T Gilman	P. Green
Stephen Haines	perkens pike	Richd Bartlett
Nath Witcher	Josiah Ambrose	Peter Green Jr
Thomas Curry	David Gregg	Tim° Walker

[8–79] [*Papers Received from Colonel McGregore.*]

A List of papers recd of Col Macgregore Jany 29th 1793 — and are as follows viz —

Book P — marble cover — page 1. Acc° for Town Bounties &c.

d° Q. Dr Acc^t for pay of Militia that turn'd out on the battle of Lexinton

E. Haskells receipts — sundry papers del^d by Joseph &c page 1 — Fernalls minutes — page 1 — Remarks on the Acc^os &c — including answers to remarks &c —

Sundry papers indorsed — Copy Letter to E. Haskell Esq Com, Oct° 4–1788

D° — — Amt a/c for dld the Commissioners —

D° Acc^t of N. Hampshire taxes these accounts to be made out forthwith by the Hon State Com^e–

D° Statement of Account settled with Mr Gorham — 1779 Money paid by Col° Scammell p^d 1776 & 1777 450 Dollars alpha

D° N° 2 Charges exhibited by the State of N. Hampshire Not Stopped

D° Copy–Acc^t for monies to be charg^d the N. Hamp Line by J Pearce P. M. General

D° N° 3 Acco^t of Monies to be charg^d to the New Hamp^e Line —

D° Copy Acc° of Town bounties p^d by Towns Classes &c to Cont^l Soldiers in militia in course of late War 1782

D° Town Bounties &c —

D° Ferralls Letter to J. T. Gilman —

D° Allow^d 1783 Copy of Acc^t sent to John Peirce Esq Pay M. General

D° J. T. Gilman letter —

D° Genl a/c of Expenditures

D° Acc^t Bounties p^d by Towns &c to Con^l Soldiers Wrapper (says) Sundry papers —

E. Haskell Esq. rec^{d} by Mr Boyer Sept 17 1788 — Bounties $^{a}/_{c}$ £115683,, 12,, 8
E. Haskell Esq. Rec^{d} May 3^{d} P. M —
Maj^{t} Haskell Rec^{d} July 11. 1788 —
E. Haskell — 5 May 1788 —
Boston Sepr 22^{d} 1787 — Royal Flint Esq —
Durham Aug. 3. 1789 — Exc^{y} Presid^{t} Sullivan —
Boston July 16th 1787 — Royal Flint Esq —
June 3^{d} 1784 Commissioners for Settling Acc^{ts} vs United States —
E. Haskell — Sept 3^{d} 1788
Joseph Gilman Esq Auditor of Accounts public Services New Hampshire &c —
Letter from Col^{o} Langdon of the 28th of July 1777 —
Letter from J. Howell N York —
Letter from Col^{o} Jno Langdon — 1777 Ap^{l} 29th about flints —
Flints & Lead of John Langdon — 1777 —
Col^{o} Langdons Letter — Jany 17th 1777 — Lead & flints

[8–80] [*Joseph Cilley Declines a Commission.*]

Nottingham feb^{r} 20th 1793.

Sir. I have Information by the Secretary that I am appointed to Command one of the Divisions of Militia
for which appointment I Returne Your Honour and the Honourab^{le} Counsel My Sincere thanks &c
But for Reasons which I Do not Choose at Present to mention I must decline Excepting the appointment

I am S^{r} with Due Respect
Your Excellency Most obedent and verrey Humb^{l} Sarv^{t}
Jo^{s} Cilley

[8–81] [*Letter from Secretary of War Knox.*]

War Department 23^{d} May 1793

Sir/ I am directed by the President of the United States to address your Excellency on the following subject. A Case has lately occured in this vicinity which required the interposition of the general Government, and as similar cases may arise in other places, it is necessary that some uniform, adequate and prompt remedy should be provided and operate throughout the United States —

An armed Vessel of one of the powers engaged in the present war captured a Ship of another, lying the Bay of Delaware and consequently under the protection of the United States. Both duty and honor required that the Government should cause the captured Vessel to be restored, which the Minister residing here of the power whose Vessel commited the oppression, has very readily undertaken to have done —

But as this remedy may not be adapted to any case and especially to distant ones, some other is to be resorted to of more universal application —

The capture of Vessels being generally the consequence of an attack or combat, and that by an armed and foreign force is in its nature, if committed within our territory, a military aggression and to be repressed by the military force of the Nation —

The standing power of the Union is its Militia, and this is everywhere at hand to meet every violation of the National protection — To your Excellency therefore as the head of the Militia of the State of New Hampshire the president of the United States confides the charge of interposing in all cases of hostility between the belligerent parties within the protection of your State ; desiring that you would be pleased with the aid of your Militia, to detain the parties first aggressing, until you could communicate the case to the President, with the evidence in writing which may establish the facts for his ultimate decision thereon. This you may be assured of receiving with all the dispatch circumstances may admit — I have the honor to be with great Respect

Your Excellency's Most Obed hum Servant
A Knox sec^{y} of War

His Excellency
The Governor of the State of New Hampshire

[8–82] [*Petition of Samuel Morey*, 1793.]

To the Honble the Senate, and the Honble the House of Representatives in General Court conven'd :

the undersigned, begs leave to request, that you would Grant unto him, and such Persons, as have or may with him associate, for that purpose, and to his and their Heirs and Assigns forever, the exclusive Privilege of opening a Communication by Water, and Locks and Canals, between the Waters of the River Piscataqua, and those of Winnepossoke Lake, in the most direct way, combining shortness of

distance with prefference and convenience of situation, and to be continued from thence, into, and through the Waters of Squam Lake, in like manner — Your Petitioner sensible of the magnitude of the undertaking, very desirous to promote, and not willing in any manner to retard it ; is willing, that in passing the Act, Granting the same, it shall be conditional, that if on examining the premises at the end of two Years, by a Committee from the Legislature, it shall not be found to be in a likely way to be compleated, it shall then revert back to the State, to be Granted to others, or otherwise, as you in your Wisdom may think best, and your Petitioner as in duty bound will ever pray — Samuel Morey for himself

Concord June 12th 1793 — and Associates.

[8-83] [*Petition for More Courts*, 1793.]

To his Excellency the Governor the Honourable the Senate and the Honourable the House of Representatives of the State of Newhampshire in General Court Convened at Concord on the first wednesday of June Anno Domini 1793 — the petition of us the Subscribers Inhabitants of the County of Cheshire in Said State humbly sheweth — that the inhabitants of Said County of Cheshire labor under many inconveniences by reason of the present arrangement of the Judicial Courts — that the Superior Court which is by law held at Charleston on the third Tuesday of may by reason of the limited time cannot by any means complete the business Necessary to be done at Said Court which we concieve might be remedied by having that term altered to the next week after may term in the County of Grafton and we also concieve that such an alteration would be agreeable to the Justices of Said Court — also many inconveniences arise from the present arangement of the Courts of Common-pleas in Said County — the sitting of Said Court at Keene on the third Tuesday of march commonly brings it to the most uncomfortable time for travelling — and the sitting of Said Court at Keene on the third Tuesday of June of Course according to our Constitution comes when the General Court is in Session and is a great inconvenience to many members who has often business and would wish to attend Said court of commonpleas —

Wherefore your petitioners pray that the Sitting of the Superiour court of Judicature which is by law to be holden at Charleston on the third Tuesday of may annually — and that the Sitting of the inferiour Court of Commonpleas may be holden on the fourth Tuesday

of each month annually in which they are now by law established to be holden in Said County and your petitioners as in duty bound will pray

Eleazer Jackson	Sam : Stevens	Sam[ll] Twitchell
Jedediah Philbrick	Nath[l] S. Prentice	Phinehas Farrar
Dan[l] Hawkins	Dan[l] Kimball	Jeremiah Stiles
Moses Tyler	Joseph Burt	thomas Bellows
Nahum Parker	Abel Parker	

[8–84] [*Memorial of Jabez Parsons and Others.*]

State of New Hampshire } To the Honorable the Senate and House of Representatives of said State In Gen[ll] Court convened at Exeter the 25[th] Day of December 1793 —

The Petition and Memorial of Jabez Parsons for himself and others . . . Humbly Sheweth —

That by reason of the wrong location, alterations, and extention, of the grants, of the Townships, of Lancaster, Stoningtown, and Woodbury, in the upper Cohos — The principle part of the lands, granted to the Proprietors, of the Townships of Preston, and Dryden, were taken up, and covered by the Alterations, and extention, of the aforesaid grants, before a reasonable, or legal time was given said Proprietors, for making settlement — And although they were at the expence of sending a Committee, from the State of New York, for the purpose of locateing and loting, thier said Townships, they were prevented, by the embarrased, and confused situation, of said grants — And that by these means, the Inhabitants, and owners of the lands in that part of the State, have been, and now are, prevented, from prosecuting to effect, their respective Settlements — That the Inhabitants, and Proprietors, of the first mentioned grants, — have at great expence, and under innumerable difficulties, and hardships, commenced, and carried on a settlement, in that remote part of the State, far advanced into the wilderness — At a time when those Lands were considered, of little or no value, And the chief object of Government was then, to encourage and cause settlement to be made in the interior part of the State, and for which purpose, and to accommodate, the said Proprietors to pursue thier settlements, the above mentioned alterations were made At a time, when great inaccuracies were commited in the business, as no survey of the River was then made, on which the said Townships were bounded, which inaccuracies, cannot now be rectified, so as to have the boundary lines, comport with the

respective Charters — And although those difficulties have, on account of the situation poverty or inattention of the Inhabitants and owners, Seemed for a long time to slumber — still they exist — That your Petitioners about three Years since, Made a large purchase in the Township of Preston, and of the principle part of the Township of Dryden — that the persons of whom we purchased, were possess'd of fair grants or Charters of said Townships, and of Deeds from the original grantees of the same — And from the recommendations given of the lands, by persons, on whose information we could depend, purchased with an entire view, of making settlement thereon. Not being acquainted with the Mode, which had been practiced, of granting, altering, and regranting, of land in the State, or of the situation, in which those grants, have for a long time, been suffered to remain, And did not apprehend, the difficulties, that we have since realized, and are now realizing, being frustrated in our views, and designs, of establishing respectable and commodious Settlements, under the protection, of a Government, where all the privileges, of well founded societies, would be secure and permanent — To accomplish which objects we have removed from great distances, and have been at much trouble, and expence, in making Roads, loting, clearing, and cultivating the lands, in building Mills, and puting the Towns in a condition for Settlement, and in geting on a number of Setlers, in all which we have done more since our residence there, than had been done in twenty years before — Although we have been under the embarrassment, of interfereing with the grants, made to the Proprietors, of the Townships, of Cockburne, Colebrook, and Stuart, which has discour aged, many adventurers, from making settlement. Still as those Grants, were of a later date than ours, we felt safe, in pursuing our settlements, untill the last season, when the owners of the last mentioned Townships, came forward; with an intention, of commencing Suits against us; as being tresspassers, upon thier lands; and Stated, that we were not on the lands, granted under the Preston, and Dryden Charters — but that the alterations and extention, of the grants aforesaid (which were done & made after the date of thier Charters) covered the lands, granted under our said Charters — And after considering the ill consequences, that would attend a settlement, by a Law desicion, came to an agreement, not to have any Suits commenced, untill we could have an opportunity, to satisfy our Selves, respecting the situation, of the different grants; or of devising some other method, to bring to a Settlement, those disputes; which if carried to thier full extent; would envolve the Inhabitants, and Proprietors, of all the above mentioned Towns, and many others, for the extent, of fifty miles, on the River; in one general Calamaty; and

totally frustrate, the further settlement, of that part of the State, for a long time ; And prove as injurious, to the State at large, as to the Inhabitants in that quarter, or your Petitioners — Therefore, under these apprehensitions, your Petitioners as Citizens feel themselves deeply interested in these Events, As they had fondly, Anticipated, the future advancement, and benifits, of those Settlements — And therefore, feel a disposition, as far as possible, to promote, an Accommodation of the disputes ; and to make any reasonable sacrifice, to accomplish it — Although, we have the fullest confidence, in the legality, and Validity, of our Grants ; which were made, by Governor Benning Wentworth ; Yet as the establishing, and Ascertaining them, in a course of Law, will be attended, with immence trouble, and expence, and opperate, to the real injury, of the Proprietors, and owners, of the other Grants — Who have already, many of them, endured a greater share of hardships and inconveniencies than has been the Common lott of your Citizens, which inconveniencies and hardships, were gradually wearing a way, and more hopefull prospects, were opening, and the Settlement began rapidly to increase, and the prospects were fair, for having large numbers, Settled immediately, in that quarter ; who were making purchases, and preparing, to move thier famalies — All which is now suspended, on account of the vexatious situation, into which, they must involve themselves — And from which your Petitioners, are under an immediate necessity, of extrecating themselves, (and if it cannot be effected by no other means) must remove to a new Situation where the advantages of being nearer to Navigation and of having Titles regularly established, will induce us to make a new effort, to establish, a Settlement, for our selves, in company with many of our Connections, in Connecticut, who are wealthy, and would immediately, enter upon, and soon compleat, a large and respectable Settlement, and establish tradesmen schools Meetings &c So that we may reap immediate advantages, therefrom, ourselves, and for our Children ; all which advantages, the afore said Inhabitants, have for a long time, been in a great measure destitute of, and which under the present Situation, of those Towns, it is to be found, they will for a long time, continue to be —

We therefore humbly emplore, your Honors, to take the matter into your wise consideration, and interpose, as far as is consistant, with the interest, Justice, and Policy of the state — And avert the evils, that are drawing very near, to those new, but promising Settlements — for the Idea, of leaving those disputes, which (have been caused, by the errors, of the Royal administration of Government) to be Settled in Courts of Law, to attend which, many of the Inhabitants, and Proprietors, must go more than a hundred miles ; which

under thier weak, and impoverished circumstances, would be to them, to lose all sight of Justice ; let thier claims, stand ever so fair — Therefore, to remedy all the afores[d] difficulties, your Petitioners begg leave, to make the following proposals—That under the conditions, and for the purposes, hereafter mentioned — To have a grant made to them and to thier Heirs and Assigns for ever — of all that Tract of Land, Situate in the County of Grafton, and lying between, the Townships of Stuart, Colebrook, part of Cockburne, and W[m] Erwings grant, west, and the district of Main East, and North and South between the grant, made to the Trustees, of Dartmouth Colliege, and a line runing from the South east corner thereof East 8° South to the said district of Main which will be at right angles with the province line, and North of the Townships, of Errold, and Millsfield, and if the last does not close with the said Erwings grant, to have a line drawn, from the North West corner of said Millsfield, to the South east corner of the said Erwings grant ; including by estimation, Forty Six thousand And eighty Acres ; the greater part of which Tract, is Mountainous, broken, and unfit for settlement ; and was it not for the Intervales, that lie on the Streams, it would be no object ; and except a road is opened, from Connecticut River, through it, its situation for a long time would be unfavorable for if not forbiding Settlement ; And if the said Tract contains more than the estimation (when measured) Nine pence ℔ Acre, shall be paid, for the overplus ; and if it falls short, nine pence ℔ acre, shall be deducted from the sum, contained in this proposal ; which is as follows, (viz) 1[st] That your Petitioners shall in a legal manner, acquit to the State, all thier claims, to the grants, made to the Proprietors, or the Townships, of Preston, and Dryden ; the canceling of which grants, will bring to an end, all the disputes, and enterfering claims, in all the above mentioned, and many other Towns (which are and will be effected, by the afore said alterations) And in which the advancing settlement is of the greatest consequence to the State ; 2[dly] that they will open, and make passable for teams, at thier own expence, a Road from Connecticut River to Amoroschogin River ; which will, in concert, with the roads now opening to the eastward ; be the best communication, to Water transportation ; and by communicating, with the roads, opening into the Province of Canada, greatly benifit the Settlements, of the northern part of the State ; and render the Situation, of the remaining public lands, much more eligible ; and greatly enhance thier value — 3[dly] that they will have fifty famalies, Settled on the Premisses, within four years, unless prevented by a War — 4[thly] that they will, upon the execution of the grant, pay and secure to be paid in

four years four thousand Dollars, & at the expiration, of which four years, the said road, Shall be compleated — Which, with the foregoing conditions, shall be the full consideration for the same —

And whereas, the several objects, which are comprehended in this Petition, and Memorial, will affect the Inhabitants aforesaid, Your Petitioners, and the State at large, in a very serious Manner, Your Petitioner, is induced to hope ; that your Honors, will take the matter, into your wise consideration ; and advert, to the consequences, of suffering the above stated disputes ; being carried to the fatal extent, to which nothing short, of your Honors, interposition, can prevent — And to contrast, those evils, with the hopefull, and flourishing Situation, to which that quarter of the State, would soon arive; under the Political protection, and encouragement, of the Legislature — As rich, flourishing, and productive Settlements, would in the eyes of reason, soon be established : And by having the communications, which are formed, by the hand of Nature, opened, and put into good condition, would endue, and controul, the Inhabitants, who are now settled, and who may hereafter settle, either in the State of Vermont, or the Province of Canada, adjoining; to fall back, into this State, for thier supplies ; and pursue those communications, which would be the best, and longest adhered to ; and thereby secure lasting advantages to the state, by Attracting and riveting, the Friendship, and Interest, of the Inhabitants, of the very great settlements, that will in a short time be made, in those neighbouring States ; and which, if the present opportunity to secure, is neglected, will be lost to the State ; As great efforts are making, to open communications, towards Quebeck, and to attract the attention of Settlers, and to turn the trade, and intercourse that way ; which if not counteracted, will be no little disadvantage to the State ; as the lands, in that Province, are to be obtained, only on condition of making Settlement ; and many valuable Inhabitants, with thier property, will be lost to the State ; as well as the real advantage, of securing the Friendship, of the Inhabitants, of those settlements, by the ties of interest, and intercourse — These considerations, with the Idea, of releaving, the aforesaid Inhabitants, from thier present, and long endured, embarassments ; confirming peace, and opening a door, for immediate, and productive acquisitions, to the State — will, we doubt not, induce your Honors, to grant the prayer of your Petitioners, or in some other way, give relief and remedy the Evils, which, are here but faintly represented — and your Petitioner as in duty bound will ever pray —

Jabez Parsons

[8–85] [*More Facts relative to the Same Matter.*]

1st — Stonington was granted October 20th 1761 And was to begin about thirty miles from the mouth of Amonusic River, making a skip of 30 miles from any other grant on Connecticut River And was to extend six miles on said River and far enough back to make the contents of six miles square, 2d Woodbury Preston and Dryden were granted June 26th 1762 each lying six miles on the River and to extend far enough back to make the contents of six miles square Woodbury bounding on Stonington Preston on Woodbury & Dryden upon Preston 3dly Lancaster was granted July 5th 1763 and was bounded on Stonington And to extend about Seven Miles below on the river and to extend back far enough to make Six Miles Square — 4thly Cockburne Colebrook & Stuart Towns were granted December 1st 1770 — lying above the other Townships & not bounding on any other grant & to extend about four Miles each on the River and far enough back to contain six miles Square each. this was the state of the first grants that were ever made — But when Stonington was laid out it was begun about a half farther up the River than it was bounded by the Charter, which likewise carried Woodbury Preston & Dryden as much farther up. this appears by Guildhall being moved down by the disicion of a Court of Law three Miles & half, which was bounded thirty Miles from the mouth of the said Amonusic and was laid out upon the other side of the River directly opposite to Stonington — The next error in course is an alteration that was made in Stonington Charter which appears by the Records now in the Secretaries Office the boundary lines of which have been scratched out and in several places holes scratched through the leaf and the lines wrote over agin, And the plan of the Township in the Book of Charters has been scratched out laid down in a different form so as to extend Nine Miles on the River instead of Six — by these alterations the Woodbury Proprietors were encroached upon, which occasioned a lawsuit between them, And the Proprietors of Stonington got a New Charter by the Name of Northumberland dated January 25th 1771 bounded in the same manner as Stonington was after the alterations were made, and is expressed to be the same as was known by the Name of Stonington — The controversy between the said Proprietors was taken out of Court and submitted to & settled by Governor John Wentworth, And the Proprietors of Woodbury had a New Charter given them by the Name of Stratford dated May 26th 1773 And enlarged so as to contain 48603 Acres, but the North bounds are expressed in the Charter to be the North bounds of Woodbury — these enlargements with the three Miles & half lost in the wrong location took up all the land ex-

cept about three miles on the River between Stratford and Cockburne which vacancy or gore was granted to Seth Wales in May 1773 without any reference being had to the Preston & Dryden grants, the Proprietors of which could never determine with any certainty where to lay out thier Said Townships on account of all those grants below being in Controversy Although they kept up thier Proprietory Meetings Annually And appointed the proper Officers to transact thier business, which appears by thier Records, as does thier sending up a Committee to lay out thier Said Towns, in which they were prevented by these Contests — After these disputes were settled between Stonington & Woodbury Proprietors. then the Proprietors of Preston & Dryden, laid out thier said Towns begining at the North line of Stratford which by that Charter was called the North line of Woodbury, And extended Six miles up the River each agreeable to thier Charters, and which now covers the grant of Seth Wales[s] and a part of Cockburne Colebrook and Stuart, From which may be seen the present Situation of those grants, and from the established maxim of the oldest grants being held good in Law, the Charters of Stratford Northumberland and Wales[es] grant must be set aside, then the Charter of Stonington reduced to its first boundaries, the consequence of which will be to fall back three Miles & half upon Lancaster and Lancaster as much upon Dalton and how much farther, it will opperate below I have not Informed myself, And Stonington being reduced from nine to six miles on the river must extend back on some other grant far enough to get the contents of six miles square, this will remove Woodbury more than its width and by being reduced to six miles on the River will with Wales[es] grant make room for Preston and Dryden, between Woodbury and Cockburne, but in making these alterations so as to have the oldest grants take thier respective places as Chartered no less than eight or ten Towns must be altered.

[8–86]

[Peleg Sprague recommends Samuel Crosby, of Charlestown, for register of deeds for Cheshire county, January 26, 1794. — Ed.]

[8–87] [*Instructions from Secretary of War*, 1794.]

Instructions to M[r] Bachet de Rochefontaine acting as temporary Engineer in the Service of the United States.

In pursuance of the directions of the President of the United

States you are hereby appointed an Engineer for the purpose of fortifying the ports & harbours herein after mentioned Viz[t] New London in the State of Connecticut, Newport in the State of Rhode Island, Boston, Marblehead, Salem, Gloucester & Portland in the State of Massachusetts and Portsmouth in the State of New Hampshire.

You are therefore immediately to repair to the Ports to be fortified in the said States respectively & in case the Governors should be near any of the said ports you are to wait on them and exhibit these instructions.

But if the Governors should be at any considerable distance from your route, you are respectfully to notify them of your appointment, enclose them a copy of these instructions and inform them that you have repaired to the ports aforesaid in order to make the necessary surveys and investigations relatively to your mission, which you will submit to their consideration and take their orders thereon.

As soon as you shall receive their approbation of your plans, you are to construct the works and to execute them with all possible vigour & dispatch.

The following is an extract of the estimate on which the appropriations for the fortifications have been founded.

The proportion of the expence for the harbour of Portsmouth is as follows — Viz[e].

A parapet for Nine pieces		281,,25
Embrazure & platforms for nine pieces @	D C 40.73	360,,57
A Redoubt		650,,
Embrazures & platforms		160,,52
A Magazine		200,,
Block house or Barracks		500,,
Pickets, Palisadoes & contingencies		375,,
	Dollars	2527,,34

It will be readily perceived by the lowness of the estimate that the parapets of the works intended to be erected are to be of earth or where that cannot easily be obtained of an adhesive quality, the parapets may be faced with strong timber and filled in with such earth as can be had. — It is however conceived that in most cases earth may be procured, & that a parapet made thereof will not only form a solid defence but even be durable if the earth be tenacious, & properly sloped & sodded inside and out and the seed of Knot Grass sown so as to bind the sods & earth together.

It is however apprehended that the embrasures made in this manner would suffer from the explosion of the powder from the Cannon,

& that therefore where the batteries are not en barbette, that the embrasures ought to be framed with Joist and faced with plank of two inches thick.

When the Batteries are to be erected on points of land, Islands or other places at a distance from the Town's intended to be defended, they ought to be covered or secured by a Redoubt or enclosed work in which the Garrison should reside constantly either in a Barrack or a strong Block house as shall be judged most expedient ; — But in general as the Garrisons will be weak in numbers a Block house mounting one or two small pieces of Cannon in its upper story will be more secure and therefore to be prefered. — These however ought not to be much if any exposed to the fire of heavy Cannon ; — A Block house will not contain more than fifty Men, if the Garrison therefore should be enlarged tents must be used.

The redoubts in general ought to be of a size to contain five hundred Men, so as to resist a sudden enterprize of an Enemy — and perhaps the idea ought to be embraced in the first instance that they should be of such extent as to enable the Garrison to resist in some tolerable degree a Bombardment.

But it is not proposed at present to erect such casements excepting for a Magazine, which must be formed of massy timber & be six feet thick on the roofs exclusive of the earth, and jointed & Caulked in such a manner as to be perfectly tight, — Care must be taken to have these Magazines properly ventilated and free from dampness : — They are to be of a size sufficient to one hundred & fifty rounds of powder for each piece of Cannon intended to be served from it : — The spot at which a Magazine of this nature shall be fixed will require great judgement so as to combine security against an enemy either open or subtle or any danger from common accidents.

Your judgement will also direct what parts of your works shall be protected by fraize, & what by palisadoes, or whether your redoubts shall have embrazures, or fire en barbette, with small Cannon, — As the redoubts are to cover the batteries, they would certainly secure & resist better without embrazures — the batteries are to annoy.

The choice of the Ground on which the batteries & works are to be erected with all the combinations & effects depending thereon will rest upon your judgement under the directions of the Governor ! — It has not been intended by anything herein specified to point out the particular manner in which the work should be erected — Outlines only have been given to serve in regulating the expence which is limited by the sums before mentioned.

Some person in whose ingenuity & industry confidence can be placed will be appointed at the said ports respectively to superintend

the actual execution of the works according to your directions : — Arrangements will also be made by him or some other person to obtain the necessary workmen implements & materials which will be required in this business : — But everything must be previously calculated and estimated by you.

You are to deliver to the Governors copies of all your plans, surveys, & soundings &c. and also to transmit copies of the same to this Office — You are also to make a weekly report to this Office of your proceedings.

A reverbatory furnace for red hot balls must be erected for each battery ; you are hereby authorized to have made in all cases where your judgement shall direct new semicircle carriages for Cannon — now used on the Sea Coast of France instead of the old Garrison carriages — This improvement firing en barbette will prevent the necessity of embrazures which in most cases serve no other purpose but as a trap to catch the enemies balls & kill the defenders of the battery ! — It is true the expence will be greatly enhanced by adopting this improvement, but this will be lessened in some degree by saving the expence of the embrazures & platforms.

It will be proper in most cases where the earthworks are to be erected to have them done by contract. I have written to the Agents upon this subject and I also request your attention thereto. It is probable that one or two Sub Engineers may be appointed under your orders as your line will be very extensive.

Given at the War Office of the United States this 29th March 1794.

signed A. Knox
Secretary of War.

[8–88]

[Joseph Peirce resigns his office as justice of the court of common pleas for Strafford county, also his commission as lieutenant colonel commandant of the 27th regiment of militia, April 20, 1794. — Ed.]

[8–89]

[Samuel Hale resigns his office of senator from the fifth district, June 14, 1794. — Ed.]

[8–91] [*Memorial of Jabez Parsons.*]

The Hon^bl The Senate and House of Representatives of the State of New Hampshire convened at Concord —

The Memorial of Jabez Parsons of Colebrook in said State — Humbly Sheweth That at the last Winter Session of the Hon^bl Court holden at Exeter — He presented a Petition and Memorial to the said Court — seting forth certain difficulties and imbarrisments which the Proprietors and Inhabitants had for a long time experienced in a number of the upper most Towns on Connecticut River within said State, ocasioned by the alteration and wrong Locations of the Charters of said Townships, which has been the means of retarding the settlement of that part of the State, and has been particularly injurious to your Memorialist who with his Connections had undertaken to bring forward a respectable settlement in that quarter — And to accommodate the said difficulties your Memorialist made certain proposals for a Tract of unappropriated Land, seting forth the mutual advantages that would attend such a Compromise, both to the State & individuals — All which were taken into Consideration by the Hon^bl House, and a very respectable Committee appointed to examine into the several matters set forth, and report their opinion thereon. And your Petitioner after stating the Circumstances of the business to the said Committee requested them if they were of opinion that the proposals merited the attention of the Legislature, to report for the Petitioners a day of hearing at the then next session of said Court, that they might have opportunity to make the necessary preparations for compleating the settlement, which the Committee were pleased to comply with, and after the business was thoroughly investigated in the Hon^bl House the report of the Committee for a day of hearing was by a very full vote accepted — But by reason of the late and hurrying stage of the business of the session the Honb^l Senate did not attend to said Memorialist — which discouraged your Petitioners from pursuing thier plan of accommodation any farther, and different measures have since (by some concerned) been adopted — But as the difficulties then set forth in said Memorial still exist and the ill consequences which were represented as resulting therefrom are actually taking place — Your Petitioner is induced once more to request your Honors to grant a day of hearing on the Premises at the next session of the General Court — That the Interposition of the Legislature may be regularly applied for, in a Case where the sacred testimony of the Records of the State or late province of N. Hampshire are called in question. That in the mean time some releaf may be anticipated, and the growing evils both to the State and Individuals averted — And your Memorialist will ever pray — Jabez Parsons

Concord 12th January 1795.

[8–94]

[Order from John T. Gilman to Supply Clapp to deliver arms to Captain Sheaffe's company, March 24, 1795. — Ed.]

[8–96] [*Petition to Construct Canals*, 1795.]

To the honorable the Senate & to the honble the House of Representatives of the State of New Hampshire in General Court assembled at Hanover June 1795.

The subscriber in behalf of himself and others whose names are hereto subjoined, most respectfully represents.

That among the Number of great Objects that at the present period of Enterprize & Exertion, have arested the Attention of Individuals, the Business of Canals holds out more of public Utility than any other. The Removal of the Obstructions occasioned by the Falls of the important River of Merimack, must in this, & other Views, be an interesting Plan to the Citizens of New Hampshire. Your Petitioner therefore in behalf of himself & Associates begs leave to sollicit the Aid of this honorable Court to authorise & enable them to clear the Falls (at their own private special Expence) upon the Merimac River from the Isle of Hookset Falls to the Entrance of the East Branch of said River, & from thence to construct and open such Canals up the East Branch of said River to Winnipissiokee Pond, as shall render the navigation for Boats & Rafts safe & convenient from said Pond to Isle of Hookset Falls aforesaid, and for their purpose to incorporate them with such Privileges & on such Terms & Conditions as this honorable Court shall think proper.

Sam[l] Blodget	James Sullivan	Sam[l] P. Kidder
for himself and	William Tudore	W[m] Blodget
Moses Gill	Perez Morton	Benj[a] Blodget
Tho[s] Russell	Peter Gillman	Abiel Smith

[8–97] [*Petition for Protection of Fish*, 1795.]

State of New Hampshire

To the honorable, the Senate and house of Representatives in General Court convened, at Hanover the third day of June 1795 We your Petitioners humbly sheweth —

That whereas in the Clause of an Act in addition to, and in amendment of an Act, entitled an Act to prevent the destruction of Salmon,

Shad and Alewives in Merrimac River &c. We find people are tolerated to set and continue wares, sienes, nets and fishpots in Merrimac River, while in other Rivers and waters falling into said Merrimac River, people are wholly depriv'd the privilege of setting or continueing any ware, siene, net or fishpot at any time. By reason of which unequitable privileges, and the obstruction of Salmon, Shad &c. in said Merrimac River, we humbly pray, that the said Clause (Viz.) That no person or persons shall, at any time set or continue any ware, siene, net or fishpot in any of the Rivers or waters aforesaid wherein salmon, shad or Alewives have heretofore usually passed, except the said River Merrimac on penalty of forfeiting &c. May be repealed, amended, or at least the words *except the said River Merrimac* expunged

So as in duty bound we ever pray

Hopkinton May 15th 1795.

John Bailey	Daniel Hale	Henry Blake
Joseph Patterson	David Cow	Simeon Dow Jr.
Moses Tyler	Ezekiel Straw jr	David Fowler
Stevens Gould	Eliphelet Homes	Joshua Lovejoy
Joseph Hastings	Benja Mackay	Samuel G. Towne
Bodwill Emerson	William Swain	James Clough
Benja Homes	Ezra Morrill	Benja B. Darling
Parker Merrill	John Clement Jr.	Moses Shaw
Zebulun Rowe	Amos Dow	Nathaniel Colby
Elias Gould	Jonathan Chas	David Herrick
moses Hills	Joshua Morse	Daniel Allen
John Chadwick	Timothy Darling	Levi Hildreth
Thomas Story	Joseph Towne	Peter Darling
Jacob Straw	Jedediah Hastings	Moses Darling
Thos Burnham		

[8–99] [*Petition to Clear Piscataqua River.*]

To the Honourable the Senate, & House of Representatives in General Court convened, at Exeter, on the first wednesday of June 1796

The Representation & prayer of the Subscribers Inhabitants of the County of Strafford most respectfully shews —

That Peace & good government being now happily established, the Arts of peace will of course present themselves to the Legislature for their patronage & encouragement. Our Sea Coast being of narrow extent, and the River Piscataqua being of primary Consequence

to the Trade of the State, any improvements, which shall render the Transportation on that River more cheap, easy, and convenient, must be attended with immense Advantages to the public at large. At present, Vessels of any considerable burthen, cannot pass up the river, to load or unload, within the Distance of Two Miles of Dover landing where the Tide flows, and which is the Receptacle of a very considerable part of the Lumber and produce exported by water from this State. This Obstruction is occasioned by the Rocks, & old sodden pieces of Timber, logs &c in the Channel which without much difficulty might be removed could some plan be adopted to defray the Expence. That it has been computed, that the Sum of about One Thousand pounds, applied in this way, would render the river navigable, for Vessels of fifty or sixty Tons burthen, the many & prodigious advantages of which to the public must be obvious to every one who is conversant with the Geography & Trade of New Hampshire — But, as the Emoluments that would arise from clearing the River would be principally of a public Nature, it cannot be expected that Individuals, tho' well wishers to the plan, should take upon themselves this Burthen without some further Assistance; and they can therefore only recommend it, as a subject for the wisdom & consideration of our legislators, the watchful Guardians of our Interest and the public Good. And as we have no doubt it must appear to your Honors on further investigation that the accomplishing this Object will probably be attended with the beneficial consequences which we anticipate, we earnestly entreat, that some mode by Lottery, or otherwise, may be devised for carrying it into Effect. Perhaps a Lottery can never be granted at a better Time than the present. The plenty of Money so universally diffused throughout this State, & especially the situation of the River as it respects the State of Massachusetts, together with the Spirit of Enterprize and adventure which prevails in both will ensure a rapid sale of the Tickets —

Never, (once only excepted), has application been made to the Legislature for the grant of any Lottery by which this County was to receive any particular benefit; They have been frequently granted in other parts of the State for the purpose of making and repairing bridges, & in the Cause of Science Commerce now lays in her equal Claim to your patronage — She Urges, that Agriculture, Manufactures, the Sciences and herself are mutually dependent, each on the other — that they thrive and flourish, or languish and expire together, and that in making such grant in such Manner, with such Managers and under such Restrictions as your wisdom shall suggest, not only the Mercantile Interest will be promoted, but the Husbandman, Mechanic, and man of Science will be sharers in its Benefits.

June 1st 1796 —

Otis Baker	John Titcomb	John Remick
Theoph^{s} Davis	Vaughan Jones	Joseph Smith
Eben^{r} Tebbets	John Waldron	David Copp
Steph^{n} Evans	Wm K. Atkinson	Amos White
Michael Reade	Saml Wentworth	John Riley
Henry Mellen	Amos Cogswell	Aaron Wingate
Thos Footman	Asa Tufts	James Baker
Chas Clapham	Jabez Dow	Reuben Ricker
Ezra Green	Stephen Patten	Benj^{a} French
Peter Man	Duglis Stacpole	Richard Waldron
Philemon Chandler	James Smith	John Kimball
James White	Janvrin Fisher	James Libbey
Oliver Crosby	Phebin Holden	Stephen Davis
Williem Nuton	Abraham Duncan	Ichabod Horn
Jeremiah Horne	Evens Wentworth	Samuel Bragg J^{r}
Wm Pitt Moulton	Joseph Stacpole	Moses Sawyer
Mark Walker	Elijah Perkins	William H. Clark
Thomas Sheafe	Moses Powel	Enoch Clement
Benjamin Peirce	Nathen Ela	Robert Gray
Wm Hale	Isaiah Gould	David Jewett
Edwd Sise	James Chase	Thomas Folsom
James Jewett	John Gage the 3rd	John Friend
Benj^{a} Remick	Richd C. Shannon	Stephen Patten J^{r}
Joseph Gage	Wm Horne	Wm Shannon

[8–100]

[Report of the committee to consider the resolves of the House of Delegates, in Virginia, respecting alterations in the federal constitution, June 8, 1796. — Ed.]

[8–101] [*Petition of Tom Powers*, 1796.]

To his Excellency the Governor and the Honorable Council of the State of New Hampshire.

In the utmost *distress* and *Agony*, not only on Account of the *deplorable* and most *lamentable* state in which by his own folly and ignorance of the Laws he now stands, as an apparent candidate for the world of *Spirits* and into which he at this time has a prospect to enter

and explore on the 28th of July instant; and which, without your interposition, he enivatably must; but also on Account of the irreparable injury which the public, but more especially Miss *Sally Messer* and her particular friends and relatives have sustained, by means of the commission of a crime by this suppliant more black than he is; most humbly sheweth, *Tom Powars*, a poor and unfortunate *prisoner* in the *Goal* in Haverhill in this State; which place of confinement, though to those more fortunate might seem unpleasant, to him appears a *Paradise*, when compared to that situation which at this time appears shortly to await him; by considering which you will easily perceive the degrees of *Gratitude* which by every friend to *Humanity*, but more especially this *wretched* suppliant ought to be Acknowledged, for those few days which by your attending to his former petition, he has been permitted to live! Almost totally ignorant of the nature of the *crime* for which he is condemned to *die*, an *ignominious death*, he run into the error; and as the *hungry Bird* is caught in an *evil net*, and as the *starving fish* is taken with the *Hook* concealed under the *bait;* so is he taken in an *evil net*, and caught with the *Hook* which, till it was to late, was from him concealed.

If to take the life of *Tom Powers* could in the least remove the injury sustained; the greatest satisfaction might be taken in his Execution; but if it cannot, you will be pleased to consider, whether to *punish* for the sake of *punishing*, is Characteristic of goodness and a temper of mind which is virtuous. —

To protect the fair from the abuses in future, of *Tom Powars*, if to you it should be doubted whether he has been sufficiently taught the consequences, so as to prevent him from again abusing any of them; it will doubtless appear that he ought not to go at large; yet will you deny but that in all Ages of the world very great *Offenders*, have by moderate discipline been reformed, and made good members of society; true it is that not much service to the community could ever have been reasonably expected from *Tom Powars;* yet you will consider him within the reach of that *Universal Governor*, who is able to turn the hearts of the wicked of all Ages, sex, and degrees, and make them as good Members of the great Body of the people as from their situation in life is possible; and in all cases, is not a reformation the end of the law?

If poor *Tom Powars*, an infant in Law, and who at that time was totally ignorant of your Laws, for the first and only offence that has been attempted to be proved against him; ought to be *hanged* by his *Neck* till he is *dead?* what kind of punishments in similar cases ought to be inflicted upon those of more experiance, and Adult years, and who have had and still have a voice in making Laws, by which to be

tried for the Commission of *crimes*? — If it is both impolitic and unjust to put to death, as some say it is, your *Brothers* and *Sons* for the commission of the same kind of *crimes* for which *Tom Powars* is under sentence of *Death;* how much more excusable is *Tom* who never has, and who on Account of his infancy and *color*, never could have had, any voice in making the Laws by which he is condemned to *die?*

If *Tom Powars* who is an infant, and not in strictness a Man as is mentioned in your Laws* could declare to all the World in as strong and unequivocal terms as Language is capable of describing, that if his Life could be spared, he would never again commit a *Crime* of the kind for which he has been condemned to Death; and of which *Crime*, that is the Act, he acknowledges himself Guilty; or that he would never knowingly commit any *Crime;* he would expect not to be believed, further than the nature and circumstances of his case, and the situation in which he is now *involved* by means of his *ignorance* of the Laws, must be convincing, that by *woful* experience he has been taught the nature of the *crime*, according to your Laws; and like the *Burnt* child who most fears and dreads the *fire*, he would be most likely to, and in all probability would avoid, again, running into an error of that nature, which would to himself work the greatest of *injuries;* that is to say, if his Life is worth enjoying. —

Will you consider that no situation in life can possibly *provoke* a youth, black or white, Bond or free of but in his Twentieth year, if out of a state of *delirium*, to leap off the stage of life into an *Eternal* State, from whence no one has ever brought back any tidings! yet if in your Opinion, under every view of the case, divesting yourselves of all personal *prejudices*, which at the first *Blush* must naturally rest upon your minds, on Account of the *heinousness* of the *crime;* that a complete *denization* of *Tom Powars* would be unsafe on the part of the public; still is it not possible that you may so far make him free, as under certain restrictions and limitations, to save his Life; and thereby convince the world that *punishment* is your strange work. —

Tom Powars has not asked seventy times seven to be forgiven, but takes encouragement from the goodness of the Governor and people, among whom his Lot has fallen to live and perhaps die, to pray with all fervent prayer and supplication to be once pardoned. — What honor or happiness can accrue to the people by causing the ground of New Hampshire to be *stained* with the *Blood* of *black Tom Powars?*

Though there can be no *crime* in remembering an injury and guarding against others; is it not God like to forgive, if it can be

* See Statute for punishing Rape.

done with safety to the community, even *black Tom Powars?* — Will your Excellency and Honors suffer this suppliant to remind you, that within a few years past a precedent for pardoning has been set you by the Governor and Council of a Sister state, a Man, after having been Convicted of *Murder* and for which he has been sentenced to be *hanged* according to the Laws of the State till he was dead; was reprieved, and for doing which the Governor and Council were highly applauded; and *Tom Powars* is willing to submit to the impartial public generally, and to you in particular whether the crime for which he is condemned to *die*, is more *malicious* than *Murder!* — Does the safety of your people so much depend upon the *ignominious* death of poor *black Tom Powers*, a Lad of Nineteen, and who has been so severely disciplined, that no one in the common exercise of common reason, can be in the least afraid of his injuring any of your good people in future, if you should condescend to save his Life; that he must inevitably be put to Death?

To tire your patience would be in vain with a multitude of words and repetitions and though it may add nothing to his Salvation, you will, no doubt excuse him if he has already said many things which in your opinion might have been omitted; and consider his case, and though he is *black Tom Powars*, do to, for and by him, as you would, as rational Men, would wish to have done to, for and by a Son of yours, should it chance to be your and their misfortune ever to be placed in a similar situation. — Liberty is desirable and every person on Earth it is agreed by the Americans, hath a right to be free, until he may forfeit that right. — Life is much more desirable, and most certainly every creature hath a natural right to live, until he shall voluntarily relinquish that right; and can you be certain of the degrees of consciousness and knowledge necessary in order that a Creature should actually be a volunteer in resigning to the public his Life? — If you cannot, or if you are not certain whether *Tom Powars* did or did not at the time of committing the Deed, for which he is under sentence of Death; possess such a degree of knowledge and consciousness as to make him a Volunteer; in that case will you not be at a loss to determine whether he ought, or ought not to die for committing the Deed? — If you are in the least uncertain respecting these points, does there not appear to be some doubt, whether he in justice ought to be put to death?

If this is the case is there not a possibility, nay a probability, of erratically judging? — and in all cases where there is room left for erring, to err on the side of *Humanity* would seem most virtuous. —

Wherefore this suppliant looks up to Your Excellency and Honors, who ought never to be Actuated from passion, but who should be all

compassion, as to his last resort for his Life ; and with a Heart filled with Gratitude to the Supreme Ruler of the Universe, who inspires the Children of Men, and fills their Hearts with pity towards the distressed ; and who hath once moved you, for a few days, to save him from an *untimely* death, and most humbly implores forgiveness of the crime for which he is condemned to die. — Your forgiving even *Tom Powars* it appears to him can be no crime, and he would *blush* to ask forgiveness if he had an idea that he deserved to be hanged ; yet had he at the time of the commission of the crime known the consequences of it, he could not have plead the same excuse ; but he has now been taught, by sad experience, that, of which at the time, he was totally ignorant. If you cannot, consistant with your feelings, when divested of prejudice, as no doubt you are or will be, before you pass upon this all important question ; and when you consider that though to err is human, that to forgive is divine, and consistant with the duty which you owe your fellow Men ; permit *Tom Powars* to go at large, which he prays you to do ; will you suffer him to live by remaining in his present situation hand cuffed and chained in prison, till he can have an Opportunity to dispose of himself on board some Ship or Vessel, there to remain for life ; or in some other way to dispose of himself, by his own Indenture, to be safely conducted out of America, to some persons or people who willingly receive him ; or in some other way release him from the sentence of death which has been passed upon and against him, as to you may appear most eligible ; and he will never forget to be, while Life shall endure, a strict enquirer into, and a pious observer of the Laws of the people amongst whom he may chance to *live ;* and to praise and adore the Supreme Governor of all flesh, for inspiring your hearts with such portion of the Godlike temper, which caused you to love and practice Mercy, and abhor sacrifice.

To this supplication, which by a friend to humanity, and who, without fee, or any prospect of reward, has wrote it ; I *Tom Powars* subscribe my name ; in the fullest hope and expectation of success ; and to whom I feel myself much more grateful than to those who for the sake of gain have extorted from me writings and which contrary to their promises were to my very great grief published before my death.

Done at Haverhill in the Jail July 14th 1796 and while confined in a *Dungeon*, in *Chains* and *fetters* of *Iron*, there to remain impatiently waiting an Answer, which will to me be of more consequence than the whole world ! ! Tomas Powers

In the presence of } Under prison keeper.
Joseph Burnham }

[8–102]

[John Dudley resigns as justice of the superior court, February 1, 1797. — Ed.]

[8–103]

[Moses Woodward resigns the command of the first regiment of militia, June 10, 1797. — Ed.]

[8–104]

[Report of "the Committee to report what method shall be taken by the State for recovering Guns Bayonets &c belonging to this State which Col° Jonathan Wentworth received by President Sullivans order in 1787, and such as have been delivered to any person or persons which have not been returned and what shall be done with the old Iron now on hand belonging to the State," December 8, 1797. — Ed.]

[8–106]

[Daniel Newcomb resigns as judge of the superior court, January 31, 1798. — Ed.]

[8–108] [*Letter from Oliver Whipple, of Hampton.*]

Hampton April 2d 1798

May it Please your Excellency,

You will not, I presume, deem it improper, or disrespectful, to address you on a Subject, which I have had no Oppertunity to do, in a private Conversation. I wish Sr to State to you some Facts, which you have never yet known the Motives or Truth of, and to take of from your Mind, any unfavourable Impressions that you have, received thro' the Medium of certain Individuals, and family Connections, which have for a Series of Years been perticulorly & assideously inimical to me* I do not know, that I ever offended them, but my Spirit would not submit to pamper their Vanity, or give Aid to their ambitious Views to monopolize the Imployments of State. — It is true, I have been peculiarly unfortunate in my Family affairs, but when the Motives are considered that led to this distressing Event ; which were *Interest*, the Gratification of an *inordenate Passion*, & Joined, at that

* I mean a Person who inhabits next door to me.

Time, to the most inconsiderable & extravigant Folly ; it will not be wondered at, by a thinking & dispassionate Public, That a Man of Feeling and Sentiment, should agree to permit a Bill to pass against him, in a Court of Law, that would throw a Shade on his Character, rather than live in a continued Snarl, hostile to every delicate Feeling, & Sentiment, and to those expected Beatitudes of the connubial State : This S^r^ is the real Cause why I permitted a Bill of Divorce to take Place against me, when no Evedence, or even Malice itself could not have effected it, had an opposition been made to the attempt. But tho' this Concession in me to become in some Digree criminal, for the Sake of the Blessings of Peace, is now bro't up against me, as an unprincipled and immoral Man, by the Gentlemen that hold the Honours of the State, Yet S^r^ when you view the Epilogue To this Tragedy, you will see & be convinced ; That the Ground of this rash Proceedure against me, was like a *baseless Fabric*, and the Return of a now *convinced, dispassionate Thinking* & *dutiful* Woman, has more Force & Effect, than a Thousand Writs of Error, to reverse the *Sentiments* of the *Public*, founded on a Judgment consented to, without having its Evedences & Principles searched out. I will not S^r^ entertain you longer, with this Story of my Misfortune, it awakes afresh a thousand painful Ideas in my mind, & must hurt the delecate & sentimental Feelings of yours. Here I wish to drop the Curtain of Oblivion & close the Scene. That I must struggle with This Misfortune forever, would be, as intollerable, as to rool the *Stone of Sissiphus*, it is greater than I can bear, nor will susceptable & generous minds, impose it on a kindred Spirit. Methinks I have a Gleam of hope yet left in New-hampshire, I do not (tho' oppression & Misfortune will make a man very humble) consider myself among the least of her Sons, & I think I can say, with Truth that no Accusation can be Justly bro't against my Character, as a dishonest Man, either in my Profession, or against my Ability in those Offices of Trust & Confidence, which I have had the Honour to sustain in this State, and that I have with Zeal (and I hope not without Knowledge) supported the Laws & Constitutions of our feoderal and State Governments. From these Considerations I claim nothing, it was, and shall be my constant Duty & Purpose to support them. From this Review of Things, You will pardon me, when I suggest to your Excellency, that there are two Vacancies in the Supreme Court of this State, that it is probable, that the Gentleman, who now holds The office of Attorney General of the State, may be honour'd with the appointment of a Judge. Should that take Place, the office of Attorney General will of Course be vacant. Should your Excellency & Council, think me worthy to sustain that office, I shall deem myself honour'd, & should indeavour to honour

the office, by every Possible Exertion to prosecute its Duties, with attention, Punctuallity, Integrity and Ability. — I have spent upwards of twenty Years in this State, and wish to spend the Residue of Years in it, but if there is no hope, no Gleam, to give a Spring to lawdable Enterprise, I must retire to more clement Skies, check Ambition for the Present, and only lament it will not be in my Power to be servicable to the worthy Citizens of Newhampshire

I am S^{r} your Excellency's most
obedient & very humble servant
Oliver Whipple

His Excellency Governor Gilman.

P S. Many worthy Characters, & Friends to you, in Portsmouth, whom you are not at a loss to know, wish this Event to take Place, and have, some of them, offered to sign a Recommendation for the purpose. The western Part of Newhampshire, I know would not be displeased, should such an Event take Place. You may communicate This to the hon'ble Council should you think proper, I am S^{r} with Esteem &c &c O Whipple

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[8–109]

[William Robbe, Jr., and Andrew Poor, imprisoned in Amherst for debt, pray for a revision of the state laws in regard to imprisonment for debt, June 4, 1798. — Ed.]

[8–110]

[William Gordon resigns the office of register of probate, June 9, 1798. — Ed.]

[8–111] [*Proprietors of "Paddy Seine,"* 1798.]

To the Honble Seneate and House of Representatives, to be convened at Hopkinton in the County of Hillsboro' and State of New-Hampshire, on the first Wednesday of June, 1798 —

Humbly shews your Petitioners being Proprietors of the Paddy Seine (so called) which Seine, was first Erected by the first Settlers Londonderry, and drawn on the West bank of Merrimack River a few Rods above the mouth of a Brook known by the name of Naticook Brook, which Brook has lately been frequented by Alewives. But never was known to be frequented by Salmon or Shad —

And as the Meshes of said Seine are made so large that it never takes any Alewives, but the pass out of said Seine without any interruption, and Competent Judges of fishing say the Seine being drawn above said Brook, has a great tendency to cause the Alewives to take the Brook instead of detering them — And as the General Court of the State of Newhampshire, at their last Session at Portsmouth, passed an Act prohibiting any Seine being drawn within fifteen Rods of any Brook mouth, where Salmon, Shad, or Alewives — which Act being much to the damage of your Petitioners, and not of any benefit to the State — Therefore your Petitioners pray that Naticook Brook may be Exempted from the force of said Act — And your Petitioners as in duty bound will ever pray —

Samuel Gibson	John McGillvary	Oliver Roby
Daniel Bixby	James Thornton	Hugh Nahor
Joseph Nichols	David Quig	Samuel Forster

State of New Hampshire } In the House of Representatives June 12th 1798

Upon hearing and considering the foregoing petition and the Report of a Committee thereon voted that the Prayer thereof be so far granted that the petitioners have leave to bring in a Bill at this or the next Session of the General Court & authorizing them to draw their Seine on the same ground which they formerly occupied, provided it be not within two Rods of the mouth of Naticook brook —

Sent up for Concurrence John Prentice Speaker

In Senate the Same Day Read & Concurred

Nathl Parker D^{y} S^{y}

[8–112] [*Petition for a New Road*, 1798.]

State of New Hampshire } To the Honorable the Senate and House of Representatives in General Court convened

The Petition of the subscribers in behalf of themselves and others — Humbly Sheweth —

That the most Northerly Towns in Said state lying on Connecticut River have ever been since the commencement of their Settlements, and now are under great imbarrassments for want of Established Roads — and as no Suitable Persons are or have been Authorized to effect the laying out and making the Roads passable — And to appropriate the money which has or may be raised for that purpose — and those difficulties which are pecular to those Towns or places

having originated from the Lands being claimed under different Titles or Grants and which difficulties Still remain and the Towns or places being mostly in an Unorganized State — And although considerable money has been expended it has been done to little effect — and several attempts have been and are now making which promise but little success

Therefore your Petitioners concieve it would be greatly for the Interest of the Publick greatly for the benefit of the Inhabitants, And not to the injury of the Proprietors to have a Committee appointed to lay out a Publick road from the northerly part of Stratford as near Connecticut River as would best accommodate the Public and to be continued through Lands Claimed under the Dryden Charter, under the Grant made to Seth Wales and under the Cockburne Colebrooke and Stewart Grants — And altho considerable money has been expended on Said Road by the Proprietors of Dryden Cockburne & Colebrook, Still there is no Road established by Proprietary Authority Nether has any thing been done by Authority under either of the Said Grants — Therefore to Comprize the various attempts which are now making to effect said Business into one Sistem We request your Honors to appoint Benjamin Strong Esqr Mr Jeremiah Eames Junr and Mr Joseph Holbrook a Committee to lay out the Road as aforesaid from the Northerly part of Stratford to the north line of Stewartstown being about twenty miles as in their opinions will best accommodate the Public And to cause the Same to be made passable for Carriages — And Also that a Tax of three Cents p^{r} Acre be granted on each of the Towns or places through which Said Road Shall pass — which three cents Shall include any money already Granted by the Honorable Court, or by the Authority of the Towns or Proprietors and not yet appropriated and that the Said Committee may accept and account any money so raised or to be raised not yet appropriated towards the said Tax of three cents, And they being disinterested and not residing in any of the Said Towns or Places, may at thier discretion allow and pay for any work already done for the benefit of the Public on Said Road to those who exhibit Satisfactory vouches therefor — And after Said Road shall be made to their acceptance if there remains a surplus of money they may provide under the direction of the Proprietors if they see cause to give direction to lay out other Roads for the Benefit of the Settlement of Said Towns or Plans — Providing with what labour the Inhabitance have and may agree to do on Said Road the Proprietors or owners Shall have four months to work out their respective proportions of the money it may take to complete Said Road — And for the surplus of the money so to be raised (if any) to be laid out in other Roads as aforesaid, in one

year after the expiration of Said four months — and that the Committee may be Authorized to proceed in the Same way as is provided by law for the proprietors to Collect Taxes, and make Sale of the delinquent Proprietors or owners lands who Shall be delinquent at the end of Said four months — And in the Same manner for the collection of what may be delinquent at the end of the other year And that Said Committee Shall give Bonds and be Sworn to the faithfull performance of Said Business and be paid out of the moneys to be raised as aforesaid for thier Services. Or that your Honors — in your wisdom will direct Some other measure to be taken to give releaf in the Premises — and your Petioners is in Duty bound will ever pray —

Hopkinton June 13, 1798 — Jabez Parsons
Chancy Curtis

[8–115] [*James McHenry to Jacob Sheaffe.*]

War department July 2d 1798.

Sir, It has been suggested to me that you would chearfully give your assistance in such measures as the Government of the United States at present find practicable for the defence and protection of the Town and harbour of Portsmouth.

By a return in this Office it appears that there are at present at Portsmouth, three thirty two pounders, four twenty four pounders and one eighteen pounder — Most if not all these Cannon require to be mounted. You will therefore permit me to request that you will without delay offer to receive proposals and contract for as many carriages as may be wanted to mount the Cannon. You will be particular in the Contract to secure to the United States well seasoned timber — iron work of proper strength, that all parts of the Carriage be well seasoned and that the work be completed in as short a time as possible — I assure myself that the whole will be done upon the most reasonable terms. You will transmit me a duplicate of the Contract when entered into that money may be forwarded to enable you to comply with it.

You will be pleased to consult with and take the opinion of the best informed military characters and Mechanics as to the Sum it will require to complete the works and finish the Buildings at Portsmouth and inform me whether a contract can be made to finish them —

I am Sir with respect Your obedt servant

Mr. Jacob Sheafe James McHenry
Portsmouth N. H.

[8–117] [*Nathaniel Head's Commissions.*]

Sir the folowing is a Statement of the pretentions which I have in my Care Viz

2d Lieutenant	Dated march 15th 1775
2d Lt —	Dated 6 December 1775
1st Lt —	Dated March 4th 1779
Capt —	Dated June 7th 1780
Capt —	Do — July 19th 1781
Capt —	Do — May 2d 1785
Lt Colo —	Do — Jeanuary 18th 1790
Colo —	Do — March 26 1793

a Coppey of the Dates of the Comisions which I have had the Honer to hold

from your viry humble Servant Nathl Head

Pembroke Sept 5th 1798
General Thomas Bartlet

[8–118]

[Petition for relief, from Andrew Poor, imprisoned for debt, November, 1798. — Ed.]

[8–119] [*Petition for Road from Lancaster.*]

State of newhampshire

To the honerable the sinate and house of Representatives in General Court conveind at Concord Novr 1798

Humbly shews —

the Subscribers being inhabitants of the County of Grafton in said State

that the Settlements on Connecticutt river above Haverhill have of Late greatly increased and a road from Lancaster leading thro' Whitfield Peeling and Thornton to Plymouth will be near thirty miles Shorter than the road by Haverhill —

That the Towns of Peeling & Thornton have of late been at a very considerable expence in making Roads thro' them and are ready to mak such Roads passable for Teames Could they be Carried through. As to Lancaster your Petitioners conceive there can be no dificulty as their Settlements are already advanced almost to their South

bounds — but their being no Settlements in Whitfield and but few on the lands through which the road must pass from Whitfield to the road that will lead from Peeling to new Concord, — the aid of this Court is wanted to Effect so valluable a purpose

Your Petitioners therefor pray, that your honers will appoint and authorize Some proper persons to Look out a Road from Lancaster passing thro' Whitefield so as to Strike the aforesaid Road Leading to new Concord in the most conveniat place So as a road may be as direct as the land will admit and grant a tax on the lands thro' which it shall pass from the South bounds of Lancaster to the aforesaid road — in order to raise money to defrey the expence that will be incurd in the business amounting to Such a Sum as your honers may think will be needed to compleat such Road in Such a manner as the public may be Served thereby to be raised and Collected as may be thought advisable and Lay'd out under the direction of Such persons as your honers may think proper to appoint

and your Petitioners as in duty bound will ever pray &c

Joseph Blanchard
Edw^{ds} Bucknam

[8–120]

[Report of committee on statement and communications of the commissary-general, December 6, 1798. — Ed.]

[8–121]

[John Prentice resigns as judge of the superior court, December 10, 1798. — Ed.]

[8–122]

[Arthur Livermore accepts the same appointment, December 22, 1798. — Ed.]

[8–123] [*Turnpike from Charlestown to Surry.*]

To the Honourable Senate and House of Representatives of the State of New Hampshire, in General Court assembled —

The Petition of the Subscribers for themselves and their associates Humbly Sheweth —

That the Road from Charlestown to Keene is travelled to Boston and the easterly part of Massachusetts by the Inhabitants of the

Northerly part of Vermont and New Hampshire ; That the Country in the vicinity of Connecticut River is rapidly increasing and an important traffic is carried on with Boston ; That the road aforesaid between Surry and Charlestown is at present circuitous, very uneven, and unsafe and improper for the large portion of travelling which it receives. That a direct Road may be laid out over much better ground which will save six or seven miles in distance — The expence of making said Road will be too important an enterprize for private liberality, or for the several Towns thro' which it will pass to accomplish without an incorporation — Wherefore your Petitioners pray that they with their associates may be incorporated into a Society, for the purpose of erecting a Turnpike road from the North part of Charlestown near William Henry's Tavern in the most direct way to Asa Wilcox's Tavern in Surry. — and that said Society may be invested with necessary power for carrying the enterprize into effect — and as in duty Bound will ever pray —

John Chamberlain
Samuel Mead
Daniel Perin

June 1st 1799 —

State of New Hampshire } In the House of Representatives June 11th 1799.

Upon reading and considering the foregoing Petition and the Report of a Committee thereon, Voted that the Petitioners be heard thereon before the General Court on the second Wednesday of their next Session, and that the Petitioners cause that the substance of said Petition and the order of Court thereon be published in the Walpole Newspaper and in the New Hampshire Gazette three weeks successively, commencing six weeks prior to said day of hearing — also serve the Selectmen of the Towns through which the Road may pass with a copy of said Petition and order of Court thereon six weeks prior to said day of hearing, that any person or persons may then appear & shew cause, if any they have why the prayer thereof may not be granted —

Sent up for Concurrence — John Prentice Speaker

In Senate the same Day Read and Concurred

Nathl Parker Dy Secy

A True Copy Attest Nathl Parker Dy Sy

Cheshire ss — July 30th 1799 — I have served the Selectmen of Surry, Alstead, Langdon and Charlestown, with an attested Copy of the within petition, and order of Court thereon —

Isaac Temple

[8–124] [*Road from Enfield Pond to the Burnt Lands.*]

To the honorable Senate & house of Representatives of the State of Newhampshire in General Court convened — Humbly shew Aaron Kinsman of Hanover in said State and others his associates

That the roads now travelled across the height of land so called from Enfield pond to the burnt land (so called) in Alexandria are very bad & circuitous — that a committee appointed by a considerable number of inhabitants of Lebanon Hanover & Enfield have viewed the various routs now used and which have been proposed from said pond to said burnt land and measured them, and they find that a course from the head of said pond to the country road now usually travelled from Grafton to said burnt land through part of Enfield Grafton Springfield New London & Alexandria will diminish distance from about eighteen to about thirteen miles and admit of being made a better road than those now used, and the land feasable for settlement — that said short distance passes through skirts of towns in three different counties, which renders it difficult to have one laid there by order of the Courts of common pleas and the remoteness of a principal part of the inhabitants of those towns from the course where such road might most conveniently pass would render it inconvenient for them to make & keep it in repairs.

Your petitioners therefore pray that they & their associates, may be incorporated for the purpose of making and repairing a road from the head of Enfield pond to the country road near said burnt land in such rout as may combine in the best manner goodness of way with nearness of distance; and that they be authorized to receive such toll from passengers on said road as may become a reasonable compensation for making & keeping it in repairs, and that they be vested with all the powers necessary for their carrying said objects into effect in the best & most expeditious manner

And as in duty bound will ever pray &c

June 5th 1799 —

Aaron Kinsman	Richard Lang
William Johnson	Andrew Bowers
Asher Allen	Luke Wilder
Saml Lothrop	

State of New Hampshire } In the House of Representatives June 14th 1799

Upon Reading and Considering the foregoing petition and the Report of a Committee thereon Voted that the petitioners be heard thereon before the General Court on the second Wednesday of their

next Session and that the petitioners, cause that the substance of said petition and order of Court thereon be published three weeks successively in the Concord Newspaper printed by George Hough commencing six weeks prior to said day of hearing also cause that the selectmen of each Town through which the Road may pass be served with a Copy of the petition and order of Court thereon the same term of time prior to said day of hearing that any person or persons may then appear and shew cause if any they have why the prayer thereof may not be granted —

Sent up for Concurrence John Prentice Speaker

In Senate June 15th 1799 Read & Concurred
Nath[l] Parker D[y] S[y]

State of New Hampshire } In the House of Representatives Dec[m] 18th 1799

Upon hearing and considering the foregoing petition Voted that the prayer thereof be so far granted that the Petitioners have leave to bring in a Bill for said purpose

Sent up for Concurrence John Prentice Speaker

In Senate the Same Day Read & Concurred
Nath[l] Parker D[y] Sec[y]

[8–125] [*Proceedings in Memory of Washington.*]

Exeter, December 31st 1799.

On thursday last a report reached town of the death of Gen[l] Washington, on the 14th current. The universal wish, that it might prove unfounded, was attended with an anxious apprehension, that it would be confirmed. The Boston Papers, that arrived in the evening, terminated the public suspence by an authentic account of the truely distressing event. On the morning following, the bells were ordered to be tolled thro' the day ; & a deep gloom seated itself on the countenances of every description of citizens.

The General Court, being in Session here, suspended their ordinary proceedings ; & appointed a committee " to take into consideration & report the method most proper to be pursued, to manifest the deep impression, which the important event of the death of Gen[l] Washington had occasioned." On their report were founded the following resolves.

"The Legislature of the State of New Hampshire being oppressed with an occurrence no less afflicting, than the death of Gen[l] Washington, the illustrious Patriot, who, under divine providence, led our armies to victory, our statesmen to political light, & our country to prosperity, with hearts deeply penetrated, feel the loss of him whose name alone "was a host"

"Therefore Resolved, That each member of the Legislature, in testimony of the high respect, they bear to his memory, & of the deep impression made on their hearts by this irreparable loss, go in mourning for the term of three months.

"Resolved That the Legislature form in procession, tomorrow, at 11, o'Clock, & proceed to the meeting house; & that the Rev[d] M[r] Rowland be requested to officiate on the occasion."

A committee was accordingly appointed to make the necessary arrangements, & to establish the order of proceedure — Another committee was directed to procure a black curtain for the window behind the Speaker's chair —

On saturday morning, at an hour previously fixed at the request of the two houses, his Excellency Governor Gilman, attended by the Council, Secretary & Treasurer, escorted by a committee appointed for the purpose, met them in the Representatives' Chamber. After a short interval of "expressive silence," the President of the Senate addressed his excellency in the following words — viz.

May it please your Excellency,

"With unequivocal sincerity & the deepest regret, the Legislature of New Hampshire sympathize & condole with you on the loss of our beloved Washington who did so long, in war & in peace, sustain our nation; in war unequalled, in peace unparallelled, & in the affections of his county unrivalled." — To which address his Excellency returned the following answer — viz.

"M[r] President & Gentlemen of the Senate, M[r] Speaker & Gentlemen of the House of Representatives,

Your respectful attention on this melancholy occasion is recieved with the most grateful affections.

Well may we bewail together our great loss by the death of the illustrious & dearly beloved Washington; a loss not only to our country, but to the world of mankind.

His highly exalted virtues & extraordinary services must render his memory very precious: & while with the deepest sorrow we mourn, let us pay due attention to the Rich Legacy of advice he has given us — imitate his virtues — & endeavour to follow, so far as opportunity offers and our abilities will admit, the great example of patriotism, which he exhibited."

At 11. o Clock, his Excellency with the Hon. Council, and both branches of the Legislature, with their officers, and a numerous train of citizens, with scarfs on their arms, moved in solemn procession to the meeting-house by a circuitous route, in the following order, viz.

1. A military escort, formed of the students of the Phillips Exeter Academy in uniform, with proper badges of mourning.
2. The Committee of Arrangement.
3. His Excellency, the Governor.
4. The members of the Hon. Council, two & two.
5. The Clergyman of the town & Preceptor of the Academy.
6. The Secretary & Treasurer.
7. United States officers Civil and Military
8. The President of the Senate.
9. The Members of the Senate & Deputy Secretary, two & two.
10. The Speaker of the House of Representatives.
11. The Representatives, two & two.
12. The Clerk & Assistant Clerk of the House of Representatives.
13. The Selectmen of the Town of Exeter.
14. Private Citizens. —

the exercises in the meetinghouse (the pulpit, communion table & front gallery of which were hung with black,) were a hymn, a pertinent prayer, & an appropriate piece of music, well performed. These exercises being ended, the Executive, & members of the Legislature with their officers returned in the same order to their respective chambers, & adjourned to the monday following.

The whole proceedings, on this most interesting occasion, were distinguished by a gravity & solemnity, which demonstrated that these marks of respect to the memory of our illustrious fellow-citizen were not, as is frequently the case, a mere unmeaning ceremony ; but true & lively expressions of the veneration, universally felt for his character, & of the regret, with which every heart was penetrated by the news of his decease.

Altho' it would be equally ill-judged & unavailing to attempt a premature suppression of the manly grief, which now swells the public bosom, it may not be impertinent to suggest these consolatory ideas, that our departed benefactor & friend did not survive his usefulness and reputation ; but died with all his "ripen'd" honors full upon him" — & that he has left behind him a character, which, while it reflects a lustre on the country that gave him birth, on the age in which he liv'd, & on human nature itself, will descend, unrivalled in the past annals of mankind, to the latest generations of men.

State of New Hampshire } In the House of Representatives Dec^{m} 30th 1799

Voted that one hundred Copies of the foregoing together with the farewell address of General George Washington at the time he resigned the Chair of Government be printed and that one Copy be given to each of the Students of Phillips Exeter Academy. — Sent up for Concurrence John Prentice Speaker

In Senate the Same Day Read & Concurred

Nathl Parker D^{y} Sec^{y}

APPENDIX.

APPENDIX

APPENDIX.

[These documents are copies from the original papers of Lieutenant-Colonel Joseph Wait, of the Continental Army. The originals are in the possession of Hon. Horatio L. Wait, of Chicago, Ill., to whom the editor acknowledges indebtedness for copies.— Ed.]

[1] [*Captain Wait's Weekly Return.*]

A Weekly Return of Capt Wait's Company of Rangers, Augt 19th 1759.

	Capt.	Lieut.	Ens'n.	Serj't.	Privates.
Present fit for Duty		1	1	4	39
Sick present	1				4
Sick at Conajohary					1
Absent		1			
Total	1	2	1	4	44

Joseph Wait, Capt

[2] [*Captain Wait's Monthly Return.*]

Monthly Return of Cap[t] Joseph Wait's Company of Rangers.

	Officers Present.					Effectives Rank & File							Wanting to Compleat the Establism't			Since Last Return						
	Commission			Non Commiss'n																Join'd.		
	Captains	Lieut's	Ensigns	Serjts	Drumers	Fit for Duty	Sick pres't	Sick in Hosp'l	Sick at Conajoihery	on Comm'd	Recruiting	Total	Serjt's	Drummers	Rank & File	Entertain'd	Dead	Deserted	Discharged	Serjts	Drum-rs	Rank & File
Total	1	1	1	1	...	32	2	4	1	6	...	45	...	...	55	...	...	1	..	..	..	..

Lieu[t] ——— on Command — N. B. two Serjt[s] on Command
1 Serg[t] Sick at Conajoihery.

[3] [*Wages of Captain Wait's Company.*]

Account of Cash paid the Following Recruits by Captain Joseph Waite. Inlisted pr Order of General Gauge & discharged by General Amherst, 20th November 1759.

	£				£		
John Wamping	....	16	....	Samuel Barratt	2	....	....
Do	1	4	....	Bathuel Norton	3	3	....
Works Napkins	1	4	....	David Wild	3	3	....
Wm. Pomary	4	....	....	John Gibson	2	....	....
Daniel Hammer	3	8	....	Samuel Edwards	1	....	....
Michael Doran	4	....	....	Wm. Boardman	....	16	....
Isaac Sansiman	....	16	....	Joseph Robin	....	8	....
Isaac Whisk	6	....	....	Charles Sharper	....	8	....
Beriah Thomas	....	10	....	Daniel Neepash	....	8	....
Assel Andrews	....	10	....	John Bellotte	....	8	....
Jermy Shantop	....	16	....	David Jones	....	8	....
Daniel Evans	2	...	....	Jos'ph Coeheets	....	16	....
James Powas	2	....	....	John Demirat	....	16	....
Charles Sharper	....	16	....	Francis Brown	1	12	....
Daniel Neepash	....	16	....	Timothy Hearrenton	....	16	....
Samuel Gilbert	....	16	....	Benjamin Dulos	....	16	....
David Way	2	....	....	Isaac Park	....	8	...
John Domorat	....	16	....	Elisha Griggs	1	4	....
Amias Holdrage	3	12	....	William Millar	3	19	....
Samuel McKeen	2	....	....	Elijah Wood	....	16	....
Daniel Webster	2	....	....	Ambrose Lewes	2	....	....
Joseph Chandler	2	....	....	John Hicks	3	3	....
Samuel Asherof	2	....	....	Abiather Williams	2	....	....
Lewis Webster	2	....	....	Isaac Bellote	1	....	....
Zariah Prindell	2	8	....	James Branagin	3	3	....
Job Beebe	2	....	....	John Demirat	....	18	....
Stephen Pratt	2	....	....	Mosses Nelson	....	18	....
Titus Lyner	2	....	....	Tottall	92	15	....

The Government To Capt Joseph Wait — Dr

To an allowance in Lieu of Provisions for my Company of Rangers from the times of their not receiving the Kings Provisions to the 13th day of October Inclusively 1761

NAMES	21 days from the 8th of Aprl to y 28th inc 1761. £	Sh.	d.	63 days from y 12th of Augst to y 13th Octr 1761 £	Sh.	d.	NAMES.	21 days From y 8th of Aprl to the 28th April 1761 £	Sh.	d.	63 days From y 12th of Aug. to the 13th October 1761 £	Sh.	d.	Total. £	Sh.	d.
Sam'l Neggus		7	..	1	1	..	Prince Edward		7	..	1	1	..			
Peter McIntire		7	..	1	1	..	Pennal Stevens		7	..	1	1	..			
Abner French		7	..	1	1	..	John Tooly		7	..	1	1	..			
Hecter McNeal		7	..	1	1	..	Timothy Brown		7	..	1	1	..			
Paul Negous		7	..	1	1	..	Robert Jaquish		7	..	1	1	..			
Jonathan Walker		7	..	1	1	..	Thomas Smith		7	..	1	1	..			
James Arnin		7	..	1	1	..	Daniel Skull		7	..	1	1	..			
Nathan Molton		7	..	1	1	..	Ruben Ferington		7	..	1	1	..			
Isaac Whisk		7	..	1	1	..	John Dimasat		7	..	1	1	..			
Daniel Charles		7	..	1	1	..	William Hendrick		7	..	1	1	..			
John Nicholas		7	..	1	1	..	John Anorn		7	..	1	1	..			
John Crage		7	..	1	1	..	Benjamin Wampom		7	..	1	1	..			
Lenard Blancher		7	..	1	1	..	Peter Goff		7	..	1	1	..			
Peter Buch		7	..	1	1	..	David White		7	..	1	1	..			
Wm. Sanders		7	..	1	1	..	Daniel Douglass		7	..	1	1	..			
Benj. Bucknam		7	..	1	1	..	Ephraim Phelps		7	..	1	1	..			
John Malony		7	..	1	1	..	John Weyer		7	..	1	1	..			
Sam'l Clement		7	..	1	1	..	Solomon Sipio		7	..	1	1	..			
John Peters		7	..	1	1	..	James Reid		7	..	1	1	..			
Sam'l Newman		7	..	1	1	..										
James Campbell		7	..	1	1	..										
Titus Lyns		7	..	1	1	..										
Total £	7	14	..	23	2	..	Total	6	13	..	19	19	..	57	8	..

[5] [*Captain Wait's Men Sent to Detroit.*]

List of Cap[t] Waits Company that were on Detachment with Major Rogers to Detroit.

John Truesdell, Caleb Austin } Serj[t] { David Wild., Reuben Clark.

James Morrison	W[m] Turner	Corn[l] Vandebara
Joseph Irwin	James Campbell	Benj. Dunlap
William Brown	David Way	Nath[l] Evans
Ambrose Lewis	John Fletcher	Asael Andrews
Works Napkin	Isaac Wisk	Dan[l] Woodward
Dan[l] Nepash	Francis Snow	Jam[s] Phillips
W[m] Cooper	W[m] Moses	Benj[n] Bragg
Daniel Whiteham	Elias House	Aaron Reed
Rich[d] Green	Reuben Farington	James Boyd
Lawr[ce] Verestoot	Sam[l] Asherast	Adonijah Edward
Abel Cross	James Maxwell	Gideon Allen
Timothy Brown	Thomas Converse	John Tooly
Dan[l] Webster	Sam[l] Rose	Robt. Jaquish
Elijah Wood	W[m] Morey	W[m] Sattally
Sam[l] Bryant	Sam[l] Squire	James Buller
Joseph Blanchard	Daniel Dee	Dan[l] Bagonet
Abraham Fowler	Pennel Stevens	Elias House
Dan[l] Addleton	John Green	Jos. Chandler
Samuel Edward	Job Beeby	Bethuel Norton
Titus Liner	Gilbert Kennedy	Dan[l] Charles
Fred[k] Cahow	Hector M[c]Neal	Derry Jellison
Sam[l] Arnenash	Beriah Thomas	

Left at Oswegatchy: Isaac Mocase, Josiah Brown, Dan[l] Evans, Ezra Prindle, Phinehas Leech

Left at Niagara: Sam[l] Hopkinson, Fred[k] Groundwart, John Nimrod, Tho[s] Wedge, Tho[s] Walbridge

[6] ———

[*From Edes' Boston Gazette, Printed at Watertown, Oct.* 2, 1775.]

Orford, N. H., Sept. 12.

Last Thursday, began their march from Haverhill, Coos, Col. Timothy Beedel, with his three companies of Rangers, in order to join General Schuyler in his expedition against St. Johns, &c. Also

marched at the same time part of a company under the command of Capt. Veal, who is one of the Green Mountain Boys, enlisted by Lieuts. Allen and Scalley. Said company consisted of men from these parts. Likewise marched this day an independent company of volunteers, under the command of Major Israel Curtis, of Hanover, which he raised on hearing that troops were wanted to go to the westward. They were enlisted, equipped themselves, and marched in three days. This shows their warm zeal for their country's defence.

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[7] [*Orders to Lieutenant Colonel Wait.*]

Colony of
New Hampshire } In Committee of Safety Jany 21th 1776.

To Joseph Wait Esquire Greeting

You being appointed Lieu^{t} Colonel of a Regiment of Rangers to be Commanded by Timothy Beedle Esqr to Serve in the Northern Continental Army.

You are hereby authorized & Desired Immediately to proceed on the Inlisting the said Regiment, the Several Companys to Consist of Eighty Six able bodied effective men including four Sergeants four Corporals one Drummer one fifer, well accoutred with Arms & Blankets, untill the first day of January next unless Sooner Dismissed

And you may Assure the Said Regiment that the pay will be the Same as the Other Continental Troops and that they shall Receive two Months pay advanced when they pass Muster

By order of the Committee
M. Weare Chairman

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[8] [*Orders from Benedict Arnold.*]

Montreal June 10. 1776

Colonel Moses Hazen, Commanding at Chamble Is hereby Ordered to take into Store, at his Post Any Goods which Lt Colonel Wait, thinks Proper to Order into S^{d} Stores, & Col' Hazen is ordered to furnish hands for that Purpose.

B Arnold B G^{l}

[9] [*Colonel Wait's Account to General Sullivan.*]

Mouth of Onion River, July 11th 1776.

Sr Arrived here four days ago, found here two rafts of timber, proceeded to a bay two miles north found one raft there drove on shore, gave orders to float it into the mouth of the river and form the whole into one raft. Went up the river to the mill which cannot be worked as the dam is partly gone. Found there as I judge about 1200 feet of good pine boards which can be purchased and delivered at the Falls 8 miles from this at five dollars per thousand. Likewise with little cost the mill may be put to work and the boards delivered by the inhabitants (could they be protected) as they have teams now on the spot, at the place and price above mentioned, returned last evening, found the rafts put together and this morning set them afloat to proceed to Crown Point, but on examining find a sand bar at about 100 rods distance from shore that cannot be passed with the raft, there is in the raft about 128 sticks of fine oak timber on an average I judge near 20 feet in length, and 15 inches in diameter — if it should be necessary to carry it to the Point, I judge 20 battoes would tow it down with less trouble than it can go any other way.

Should I be continued on this command it would be more agreeable to have a detachment from one corps and that for a longer time, as the men here are not victualed only two days we shall stand in need of provision should we tarry longer as the men have been kept at the mouth of the river and have no convenience for cooking, they are short and some of them unwell, in particular Maj. Sedgwick who desires liberty to return

In case battoes are sent down after the timber it would be necessary that they should be furnished with cordage.

Yesterday about 12 o'clock discovered a large smoke on the west shore about five miles inland, supposed to be set by a party of the enemy, if so and they are going to the point, they will pass back of the mountain.

In my passage up the river found a party of near one hundred of Col. Warner's men who refused to go on the north shore to protect the inhabitants, and by their motion believe they have gone home by this time.

Likewise saw two men from the Cahoos plantations who say it is determined there to assist in building a line of block houses to this place, should it be agreeable they beg your Honor would inform them of what may be the resolve on that head and they will exert

their utmost to execute it. Should I continue here longer should be glad of a few candles. I shall now move from this up to the Falls and employ my people in getting down the boards to this place and wait your honors further orders.

Am with respect your honors most
Obt. humble Servt.
Joseph Wait

His Honor Gen. J. Sullivan.

[A list of the French-Canadian names in Col. Moses Hazen's regiment, with corrections and pronunciation by C. H. Farnham, of Boston, Mass. The page and number of each name refer to Vol. XVII. of this series. — Ed.]

Note. — These rolls evidently suffered from at least three causes of errors: 1. Imperfect recognition of sounds; 2. Defective phonetic representation of syllables; 3. Indistinct writing. It was inevitable that men ignorant of the French language should fail to recognize and represent some of the vowel and nasal sounds peculiar to that tongue, and that they should confound the labials b and p, f and v; the dentals t and d, s and c; the palatals l and r; the gutturals g soft and j, and c hard with g hard; and distinct writing was probably not more common then than it is now. These errors have been both puzzling and demoralizing to the editor; they have made it impossible to be perfectly certain of many names and they have led him to make some guesses that may seem at first sight to be rather far-fetched. These questionable names, however, are marked with a star that the reader may regard them merely as probable suggestions. But they are not wanting in some reasonable foundation, for they all are to be found in the Abbé Tanguay's genealogical dictionary of French-Canadian families, or among that people at the present day. It is probable that some of the men wished to hide their identity, moved by the general policy of loyalty to England, which had been secured from the Roman Catholic church. At all events, one of them enlisted under a nickname, Prêt-à-boire, and another, Ossy (coming after another man *also* named François) seems to have turned himself into a joke, and Vinclair (clear wine) and Robinet (stop-cock) are very likely *noms de guerre*.

The phonetic representation of the pronunciation is made according to the system followed in Clifton and Grimaux's French and English dictionary. In French the emphasis or accent is so generally on the last syllable that it is thought unnecessary to indicate this feature of pronunciation. It may be further remarked that the French-Canadians have departed from the traditions of their mother-tongue in sounding the final consonant of nearly all their surnames.

C. H. FARNHAM.

Page and Number	The Original Names.	The Probable Names.	Pronunciation.
p 294			
1	Cornelius Boaulay	Cornélius Boulay or Boulé	kòrnélius boulé
13	James Mayo Gooyo	Jacques Mailhot Gouyou	zhak mayo gouyou
p 299			
—	M. Gilbert	M. Gilbert	m. zhilbér
1	Louis Lauson	Louis Lauzon	loui lôzôn
2	Francois Laté	François Raté * or Lantier * or Labbé *	frânswa raté, lântyé, labé
2	Jean Dufan	Jean Dufranc * or Dufrène *	zhân dufrân, dufrèn
1	Jean Baptiste Apiere	Jean Baptiste Lapierre	zhân batist lapyèr
2	Charles Champagne	Charles Champagne	sharl shânpany
3	Joseph Chartier	Joseph Chartier	zhozèf shartyé
4	Francis Chating	François Chataigne	frânswa shâtèny
5	Thomas Capon	Thomas Capone	toma kapon
6	Jean Carr	Jean Carré * or Caron *	zhân karé, karôn
7	Joseph Duca	Joseph Ducas or Dugas	zhozèf duka, duga
8	Jean Baptiste Dupire	Jean Baptiste Dupille * or Dupuis * or Dupré *	zhân batist dupil, dupui, dupré
9	Jean Dancos	Joseph Dancosse or Dangosse	zhozèf dânkos, dângos
10	Auris Duplains	Maurice * Deplaine	môris deplèn
11	Joseph Dufronce	Joseph Dufranc or de France	zhozèf dufrân, defrâns
12	Francois Ducros	François Ducros	frânswa dukro
13	Antoine Filbert	Antoine Philibert	ântwan filibér
14	Piere Lésage	Pierre Lesage	pyèr lesazh
15	Joseph Létreeman	Joseph Létourneau *	zhozèf létournô
16	Antoine Lésambert	Antoine Lambert *	ântwan lânbér

17	Girelaumd Lébil	Guillaume Lebel or Labelle	ghiyôm lebel, label
18	Louis Lisot	Louis Lizot or Lizotte	loui lizot
19	Francois Martin	François Martin	frânzwa martan
20	Louis Mation	Louis Mathieu *	loui matyœ
21	Jean Baptiste Martin	Jean Baptiste Martin	zhân batist martan
22	Francois Monreau	François Montreau or Moreau	frânzwa mônrô, môrô
23	Charles Racine	Charles Racine	sharl rasin
24	Paul Recar	Paul Regas * or Ricard *	pôl rœga, rikar
25	Price Sojir	—— Souger * or Saucier *	—— souzhé, sôsyé
26	Ebimd St Laurens	—— St. Laurence or St. Laurent	—— sanlôrâns, sanlôrân
27	Joseph St Houge	Joseph St Onge	zhozèf santônzh
28	Michael Valarant	Michel Valérand	mishèl valérân
29	Joseph Voitrin	Joseph Vauclin *	zhozèf vôklan
p 304			
1	Laurens Olivie	Laurent Olivier	lôrân olivyé
1	Francis Gilmant	François Guilmain or Guillemot *	frânzwa ghilman, ghilmo
1	Francis Ossy	François aussi (meaning *also*) or Ossant *	frânzwa ôsi, osan
2	Samuel Siegert	Samuel Giguère *	samuel zhighèr
3	Joseph Laurent	Joseph Laurent	zhozèf lôrân
1	Michel Moisan	Michel Moisan	mishèl mwazân
2	Peter Isamen	Pierre Isabel *	pyèr izabèl
3	Michel Verli	Michel Fély * or Verrier *	mishèl fély, vèryé
1	Alexir Ferid	Alexis Ferri * or Ferrier *	alèksi fèry, féryé
2	John Nanearron	Jean Andiran * or Landirand *	zhân ândirân, lândirân
1	Bapt Amlan	Baptiste Ameli or Hamelin	batist amlan, hamlan
2	Peter Blanchar	Pierre Blanchard	pyèr blânshar
3	Noel Belanché	Noel Belanger	noel belânzhé
4	Juill Belanché	Jules Belanger	zhul belânzhé
5	Aimable Boilant	Amable Boilard * or Béland *	amabl bwâlar, bélân
6	Peter Caycee	Pierre Caisse or Caillé * or Cailler *	pyèr kès, kayé

[*A List of the French Canadian names in Col. Moses Hazen's Regiment — continued.*]

Page and Number	The Original Names.	The Probable Names.	Pronunciation.
7	Peter Chartie	Pierre Chartier	pyèr shartyé
8	John Delil	Jean Delisle	zhân delil
9	Peter Frison	Pierre Frichond	pyèr frishôn
10	Nicholas Fund		
11	Nicholas La Framboise	Nicolas Laframboise	nikola lafrânbwar
12	Aimable Gibor	Amable Guibord or Giboire *	amabl ghibòr, zhibwâz
13	Francis Gigo	François Gigault or Gigaut	frânzwa zhigô
14	John Goulay	Jean Goulet	zhân goulet
15	Paul Hubert	Paul Hubert	pôl hubèr
16	August Isakl	August Isabel *	ôgust izabel
17	Alezir Jenville	Alexis Joinville *	alèksi zhwanvil
18	Louis Lonchong	Louis Longchamps	loui lônshân
19	Francis Langde	François Languedoc *	frânzwa lângdo
20	Francis La Voise	François Lavoye *	frânzwa lavwa
21	Bernard Marchand	Bernard Marchand	bérnar marshân
22	Glandy Monty	André Montail * or Dumontier *	ândré môntay, dumôntyé
23	Bapt. Maliete	Baptiste Maillet	batist mayè
24	Bapt. Morgan	Baptiste Maugrin * or Moran * or Morin *	batist môgran, môrân, môran
25	Antoine Menard	Antoine Ménard	ântwan ménar
26	Francois Noel	François Noel	frânzwa noel
27	Basil Nado	Basile Nadeau	bazil nadô
28	Mannel Rodrue	Manuel Raudot * or Rotot *	manuèl rôdô, rôtôt
29	Georg Sinclair	George St Hilaire *	zhòrzh santilèr
30	Charles Tessie	Charles Tessier	sharl tesyé
31	Michel Tibe	Michel Tiberge * or Dubé or Dilay *	mishèl tibèrzh, dubé, dilé
32	Aré Vinclair	André *Vinclair	ândré vanklêr

33	John Clop	Jean Clopin	zhân klopan
34	John Licot	Jean Lizot or Le Comte	zhân lizot, lecônt
p 305			
1	Louis Marnay	Louis Marais *	loui marê
2	Piere Cammare	Pierre Cannard * or Chamard *	pyèr kanar, shamar
3	Fredk. Du Manlin	Frédéric Dumoulin *	frédérik dumoulan
4	Louis Bourette	Louis Bourret	loui bouret
1	Alexandre Picard	Alexandre Picard	alèksândr pikar
2	Joseph Tessier	Joseph Tessier	zhozèf tesyé
3	Joseph Dublise	Joseph Duplessis * or Duplais *	zhozèf duplèsi, duplé
1	Joseph Lesperance	Joseph Lespérance	zhozèf lèspérâns
2	Joseph Gantier	Joseph Gautier *	zhozèf gôtyé
1	Prette Aboire	Prêt-à-boire (ready to drink)	prêtabwâr
2	Jaque Brmziere	Jacques Bruyère *	zhak bruyêr
3	Joseph Brissille	Joseph Breville * or Brisval *	zhozèf brœvil, brival
4	Augustin Charbona	Augustin Charbonneau	ôgustan sharbónô
5	Alleais Duclan	Alexis * Duclas or Duclos	alèksi dukla, duklô
6	Théodore Ducale	Théodore Dugal	téodor dugal
7	Martin Fossé	Martin Fossé	martan fôsé
8	Augustin Grenier	Augustin Grenier	ôgustan grœnyé
9	Gabriel Gandra	Gabriel Gandras	gabriel gândra
10	Baptiste Gievaire	Baptiste Giguère *	batist zhighêr
11	Louis Gandra	Louis Gandras	loui gândra
12	Louis Jaques	Louis Jacques	loui zhak
13	Jaque Lavigne	Jacques Lavigne	zhak laviny
14	Robert Paule	Robert Paul or Paulet *	robèr pôl, pôlet
15	Jaque Robbinette	Jacques Robinet	zhak rôbinèt
16	Jaen Vinnette	Jean Vinet	zhân vinèt
17	Charles Tettier	Charles Tellier *	sharl tèlyé
18	Philip Smith		

[*A List of the French Canadian names in Col. Moses Hazen's Regiment — concluded.*]

Page and Number	The Original Names.	The Probable Names.	Pronunciation.
19	Baptiste Zucharré	Baptiste Du Caret *	batist dukaré
20	Jacque Vallett	Jacques Valette	zhak valet
21	Jacque Buttin	Jacques Boutin	zhak boutan
22	Francois Malvan	François Balan *	frânzwa balân
23	Michel Lacroix	Michel Lacroix	mishèl lakrwâ
	Captn Ph. Liebert	Philippe Lebert	filip lebér
p 306			
16	Francis Dapuh	François Dupuis *	frânzwa dupui
21	Francis Cseaina	François Vesinat *	frânzwa vézina
p 309			
1	Antoine Paulint	Antoine Paulin or Poulin	ântwan pôlan, poulan
1	Felix Victor	Félix Victor	féliks viktor
1	Joseph Sheuit	Joseph Genet * or Jeannet *	zhozèf zhœnè, zhanet
1	Jean Aymond	Jean Aymond or Emond	zhân émôn
1	Francis Martin	François Martin	frânzwa martan
1	Antoine Chartie	Antoine Chartier	ântwan shartyé
1	Pierre Hubert	Pierre Hubert	pyèr hubér
2	Charles Raté	Charles Raté	sharl raté
3	Pierre Johannes	Pierre Joannes	pyèr zhoan
4	John Marie Chartie	Jean Marie Chartier	zhân mari shartyé
5	Michel Harbour	Michel Harbour	mishèl harbour
6	Pierre Sabe	Pierre Salé *	pyèr salé

[The editor is indebted for the following papers to Hon. Frank W. Hackett, of Washington, D. C., who has spent much time and labor in securing these copies. His letter is self-explanatory. — Ed.]

Washington, D. C., October 2, 1889.

Isaac W. Hammond, Esq., Editor and Compiler of State Papers, Concord, N. H.:

My Dear Mr. Hammond, — While at Portsmouth, in the summer of 1883, I had an opportunity to copy certain old papers (about the region of 1680), which are valuable in our state history, as well as to people of New Hampshire descent. I take pleasure in inclosing herewith transcripts of many of these copies that I have prepared with much care to have them accurate. You are at liberty to use them, in whole or in part as you shall think proper, in editing the State Papers. They have never before been printed, so far as I know, save that I furnished a few of them a few years ago to the columns of the "New Hampshire Gazette," at Portsmouth.

The originals I found in an old wooden box (marked "First Parish") in the attic of the vestry of the North Church, along with books of early records of that parish. They were in loose packages, bearing no marks of ever having been arranged in order. Many of them, it is plain to see, properly belong to the files of the town, and some are of considerable interest aside from the circumstance of their age.

By the courtesy of the church authorities I was allowed to take the copies, and I believe that my work can be relied upon as very nearly exact in the matter of names and dates; at least I tried to make it so.

These papers ought, in my judgment, to be printed so as to become in this form accessible to the many interested parties who will from time to time wish to consult them; and I know of no place so fit for their preservation as in the State Papers which, permit me to say, you are editing so faithfully and so ably.

Yours truly,
FRANK W. HACKETT.

[*Rev. Joshua Moody's Account.**]

Town of Portsmo D^r^ to Jo: Moodey

1676

To haleing and pileing ye Bricks for ye Chimney	00–16–00
To Bricks (all Silver)	05–07–06

* In Mr. Moody's hand, small, neat, and legible.

To nailes for ye scaffold, shingles & nailes	00–08–06
To silver for makeing ye chimneys & some work ov^{r} & above	06–08–00
To Help about ye chimneys, Diet & wages	07–16–00
To Lime, mantle Tree, planks to lay under Mantle Trees	02–10–00
To more Diet & wages	02–05–06
To Joyners work & carpenters, make^{g} up stairs y^{t} w^{s} pulled down & ptitions in ye House . . . covering ye Roofe Boards — & nailes, Boards also for ye Barn wth some work done to ye Cellar, wages & Diet	09–02–00
1678	
To new hinges for Doores & new Cellar door, staires into ye dairy & new glasse	00–16–02
3 mo 24 To new Raile for ye Porch & staires p F. Mercer	00–15–06
	£35–11– 2

Mem Great part of this acc^{o} was silver out of my purse most of ye remaind^{r} as Money Elias Stileman Com

[Endorsed] Mr Moodys Accopt about his house p: 1678

[*Rates for Great Island,* 1677.]

The Ministers Rate for ye year 1677
James Robinson's * Rate for ye Minister 1677

Rate ——e ** for ye minister the 28 Novr 1677 In Portsm^{o} by ye selectmen

Mr Nath: ffryer	3–00–00	Jos: Messeet	5
Mr Robt Ellet	2–10–00	James payn	6
Mr Henry Russell	00–10–00	Aron fferris	6
Edw: Beale	00–08–00	Math: Estes	10
Jas Robenson	00–10–00	Sam: Robey	6
Maj^{r} pendleton	00–00–00	Ed: Cator	10
Wm Rogers	00–06–00	Jno Clarke	10
Jno Kettle	00– 8–00	George Walton senr for the town	1–00– 0
Goodm: Rider	00– 0–00	George Walton Junr	5
Arth^{r} head	6	Mr Wintworth	1–05
Geo Harris	7	Mr Herbert	05
Jno Amerseen	12– 6		

* James Robinson was constable for Great Island in that year; Edward Melcher for Strawberry Bank. ** Word illegible, possibly "levie."

Humph : Spencer	06
Wm Lux	6
Mr ffran Tucker	15
Wm : Hoskins for the town	10
Nic Hoskins	05
Gabriyer Boniton ["Hugh" erased]	
Wm Briarde [Broade ?]	10
Wm Row	10
Jo Harvey	10
Elias Stileman	15
Ric Stileman	1–00
Stephen Grassam	05
Dan Dornion [Dunyan ?]	11
old Dormer	04
Jno Lock	09
Tho. Jones	07
And Cranch	07
James Johnson alias ye widow	5
James Leech : & his —el sonn	10
Jno Abbett	7
Mr Jeffery	2 : 10
Jno Sharpe	5
Jno parker	7
Ric : palmer	5
Ric : Abbett	6– 6
old phillips	3
Ric : Harvey	6
Jno Luwis	12
phil : foxell	05
Goodm Hodsdon	05
Wayman Bicton	6
Mr Edw : Cawner	7
Mr Taprill for town	6
Mr west for town	5
Henry Trefferne	0–
Mr Jno Jacob	10
Job Rennolds (?)	5
Ru : Rogers	07
Jno Jorden town	5
Domenicus Jordan	4
Jno —— [overwritten]	5
Hen : Elkins	4
Jno : Warrick	4
Edw : Rendle	4
Jno Davis [Word follows, like "Elder."]	6
Mr Geo : Woollis	16
Wm Wallis	5
James Rendle	11
Jno Odiorne	12
Ens : Drake	8
Jno Berry	2 or 3
Josh : Berry	3
Wm Berry	4
James Berry	5
Jno ffoss	5
Ano Brackett Senr	18
Antho Brackett Junr	0–
ffrancis Ran	10
Tho Barnes	5
Wm Seavey Senr	1– 5
Tho : Seavey	8
Mr Ric : Tucker	00
Ric : Slooper	1–00
Tobi Lear	1–
Ric : Goss	5
Xtopr Noble	3
Tho. Creher	6
Tho : Moses	10
fferdina Hooss	00–00
Jos Walker	8
Sam Sherburne	6
Mr Hen : Sherburn	11
Jno Homes	4
Wm Brukin	8
Hen : Savidge	16
Hugh Lear	8
Ed : Bickford	5
Rob : purington	7
Mark Hunkins	14
Ric: Shortridge	03
And : Sampson	00

Jno Davis ye doctor so called	05	franc Rand Junr	5
henre Byk [Beck]	5	Tho Rand	5
John Bomen	7	Tho or Jno peverly	5
		Dan : cambell	3

[*Summons to Delinquent Rate Payers.*]

To the Constable of Portsmouth or his deputy

You are required in his Majestys name forthwith to summon those men whose names are underneath expressed to apear before us the 4 : of March next in the morning At the house of John Patridges To Answer for there not paying the Ministers & Towne rate some years past, hereof fail not at yor pill & make a trew retourne hereof & this shall be your sufficient warrant

Febry : 26, 167$\frac{8}{9}$ Tho : Daniel in the behalf of the rest of the Selectmen

John Mardyne	John Berry
James Berry	Jos : Berry
Francis Drake Senr	John ffoss
Nath Drake	Jas Bracket
William Wallis	Tho : Seavey
Tobias Lear	Xtopher Noble
John Peverly	John Read
John Holmes	John Bonman
William Brabin	Edward Bigford
Hugh Towne	Richard Shortridge
Richard Jose	

[Endorsed] I doe make William Richards to bee my lawful deputie to summons all the psons within named in my behalf dated the third of March 167$\frac{8}{9}$ by mee John ffabins Constable of portsm^{o}

[Endorsed] Jno ffabins to summons persons before ye selectmen 1678

[*Nathaniel Fryer's Account.*]

the town of posmouth Dr

23 September (?) 79

then mad up . . . . with the selectmen and Rest dew to Nath ffryer as in town Buck

To 40 ped Samuell winford By order selectmen Francs Tucker constabl 2– 0–0

to len . . . cloth to Goode Samson By order of the selectmen for the poor man thear	0– 7–6
To so much desbusted for keeping Good Lake [or, Lock] and 2 children and provesens to carrey them to manhegen [Monhegan]	1–15–0
To ferreg for my hors And selfe for going to Sande Beach twis to taek the list of mens estates	2–6
	12–13–0

Jany 12 : 81 Errors excepted

Nath ffreyer

[*John Brewster's Order.*]

Gentlemen

Please To paye to William Vaughan or his order the ball of my Accopt. wth ye Towne of Portsm^o^ beinge ffive Pounds Ten shill as Mony and place it to my Accompt wth the Towne wch wth my Respects Remaine your Lo. ffriend

his
John × Brewster
mark

To ye Selectmen of Portsmouth
now in beinge

March : 5th 1679

[Endorsed] from ye Selectmen from goodm Brewster
entered

[*Bill of Robert Elliott.*]

1680	The Towne of Portsmouth To Robert Elliott Dr	
	6 yds holl Canvas to Andr Sampson	00–12–00
	2 yds Cotton	00–06–00
1681	1 gallon rumm	00–03–00
	4 yds lynnen c 2/6	00–10–00
	1 Coffin	00–08–00
	1 gallon Rum for the buriall	00–03–00
	So much paid old Bond's salery	1–00–00
	12^l^ pork Goodwf wastcoat for peter	00–04–00

6 yds lynnen to make him a shirt and 1 pr drawers	00–12–00
11[l] pork to goody wastcoat	00–03– 8
1 p stockins	00–03–00
	4– 4– 8

Robt Elliott

Mr Robert Elliots Accopt brought in 12[th] 8ber 1681

[*Mr. Moodey to the Selectmen.*]

These may certify the Hon[e] selectmen of Portsmouth that James Rendle hath acconted with mee for his Rate in 79 the sum of twenty five pounds twelve shill. having paid mee some & given mee his Bill for ye rest an uncomfortable Trade, how[r] I am

Yor[s] Jo. Moodey

Ports 29 (9) 1680

[*Shipping at Portsmouth.*]

Accompt ye shipinge at Portsmo Great Island

Ship	Surrey 25 Tunes at 10 sp	mr ffryer, mr Hinks, mr Martin, mr Ellett	25
Ketch	or as Master: mr ffryer owner		8 Tune
Ketch	Nonesutch George Ellet m[r]	mr ffryer, mr Jafery	6 Tune
Ketch	Adventure Mathew Eslis m[r]	mr Robt Ellet $\frac{1}{2}$, mr Jaffrey $\frac{1}{2}$	10 Tune
Ketch	Ritch[d] Master Cobbett	Mr Ellet $\frac{3}{8}$, Mr Cobbett $\frac{1}{8}$, Barbados $\frac{1}{2}$ ye $\frac{1}{2}$	07 Tune
Kettch of mr wentworth			8 Tune
Ship	Dove Jethro ffurber	Jno Cutt $\frac{1}{3}$, Rich[d] Walden $\frac{1}{6}$, Ruben Hull $\frac{1}{6}$, Wm Vaughan $\frac{1}{3}$	80 Tunes
Ketch	Diligence ye Executors of ye Late president		10 Tune

Ship	Hoopwell mr Mousell ye $\frac{1}{2}$ to Ditto is		10 Tune
ketch	Dover Pierce Master Richard Walden owner		15 Tune
Ship	Fortune Jno Jacson	$\frac{1}{4}$ Capt Thos Daniell $\frac{1}{4}$ Sergeant Jn° Hunkin	25 Tune
Ketch	Swallow Thos : Conell	$\frac{1}{4}$ Capt Daniel $\frac{1}{4}$ Srgent Hunkin	10 Tune
Ketch	Indevor Jno Hunkin	$\frac{1}{2}$ Mrs Elenor Cutt $\frac{1}{2}$ Srgnt Hunkin	12 Tune
Ketch	ffriends Indevor	$\frac{1}{4}$ peter coffin $\frac{3}{8}$ to m^{r} Hull $\frac{3}{8}$ to Wm Vaughan	12 Tune
Ketch	Prometheus	$\frac{1}{4}$ Srgente Hunkin $\frac{1}{4}$ mr Robert Ellett $\frac{1}{4}$ widdo Jose $\frac{1}{4}$ wm Vaughan	15 Tune
Ketch	Delegens	$\frac{1}{4}$ to Madeira $\frac{1}{4}$ to Capt Daniell $\frac{1}{2}$ to Wm Vaughan — $\frac{3}{4}$s is	–9 Tuns
Surrey Ketch		Wm Vaughan	5 Tune
Sloop Roose		Ditto	5 Tune
Thos Harveys Ketch			10 Tune
Ship	Sam^{ll} Jno Cutt Master	$\frac{1}{8}$ mr martin $\frac{1}{8}$ mr Jno Cutt — $\frac{1}{4}$ th is	6 Tune
			290

ye Reste Elsewhere

Ship	Johanna m^{r} Leverett owner		40 Tune
Ketch	of Ditto		10 Tune
Ship	Ritch^{d} m^{r} Snell master Capt Daniell		28 Tune
Ship	Dolfin. m^{r} Cowell (?)	Capt Daniell $\frac{3}{4}^{ths}$ $\frac{1}{4}^{th}$ elsewhere — $\frac{3}{4}$s	15 Tune
Ketch	Prosperous — Capt Daniell owner		10 Tune
Ketch	Neptune Ditto owner		4 Tune
Sloop	Gabrill Ditto owner		5 Tune
Jno Partridge Caitsh			4 Tune
			116
			290
			406

[Endorsed] Accompt Tunnidge ye Shipinge Auguste 1681

[*Letter of Elias Stileman, as to his rate.*]

To y^e^ Selectmen of Portsm^h^

Gent I cannot but wonder that I must be every bauled at by the Constable for my rate when you know I have pde it already with you & you ow me a considerable summe pray let the constable be allowed it yt I may no more be troubled & take care to satisfie ye ball due to

29 Mar: 1682 y^r^ servt Elias Stileman

[*Notice to Rate Payers.**]

The Trustees or overseers of this town having lately received an order from our honored Gove^r^ for makeing a Province Rate. These are therefor to give notice to all the inhabitants of this Towne that they bring in a list of all there males above sixteen years old, together wth there estates to the house of John Partridg on thursday com seventh night being the eighth of ffeburaye next ensuing the Date heare of: or in the meane time to Any of the trustees

Portsmouth this ℔ me John ffletcher by order of

26th of January 1682 the rest of the Trustees.

[Endorsed] An order to bring accop of estates 1682

[*Letter of John Light, Payment of Town Rate.*]

M^r^ ffletcher

S^r^ these may acquaint you that John Davis of Litle harbour have allowed into m^r^ Wm Vaughan for ye towne rate the summe of five shillings in ffish Y^s^ to serve you

Jan: 23 1682 John Light

[*Letter of Splan Lovell.*†]

To the Trustees for ye Town of Portsm^o^

Gentl/ please to pay to ye Bearer Jno Denit the summe of Twenty pounds of that — which is due to mee from the Town, & charge it to ye acc^o^ of yor serv^t^

7 January 1682 Splan lovelle

pd ℔ a noote Drawne on mr Jaffery

* This paper is undoubtedly an original that was once posted, it bearing the marks at the four corners of having been torn off.

† Lovell was a glazier. This note is elegantly written in a small hand.

[*Bill of Obadiah Morse.*]

Dec^{r} : 30, 1682	ff A Iron for a Senk ff Mr Mody	00–04–00
1682	ff Mending henges ff Meting-house	00–01–00
	ff A Iron, ff the hour-glass	00–10–00
	ff 200 bricks Delivered at my Shop	00– 4–06
		£00–19–06

by Me : Obadiah Mors

[*Gov. Cranfield's Proclamation.*]

New Hampsh in }
New England } By the Govern^{r}

Whereas there was an Act made by the General Assembly in ye year 1682, for defraying the necessary occasions of the respective Towns in ye sd Province ; And to the end the several Towns therein may be in a posture to defend themselves against His Mat^{s} Enemies whether Indians or Others, there being no provision made for pouder, bullet or other amunition : Therefore I Edward Cranfield Esqr His Mat^{s} Lieuten^{t} Govern^{r} & Commander in chief of this sd Province, having also Power to exercize the Authority of Captn General therein by vertue of His Mat^{s} Royal Commission ; Do, in pursuance thereof, in His Mat^{s} name require & command you the Trustees or Overseers of the Town of Portsmth forthwith to provide Pouder, bullet & other amunition, in such proportion as may be requisite to make a defensive war against the Indians or other His Mat^{s} Enemies to march in pursuit of them, according to His Mat^{s} sd Comission And that ye same Pouder, bullet & other amunition may ye more effectively be made usefull for ye defense of His Mat^{s} Subjects you are in His Mat^{s} Name likewise hereby required, To deliver the same or any part thereof, upon ye order of John Tufton Capt for the said Town of Portsmth or the Captn for the S^{d} Town for ye time being, or his Lieuten^{t} or Ensign, or any two of them (whereof ye Captn to be one) to whom & at what time soever he or they shall send ; You taking his or their receit for ye quantities so delivered ; which shall be sufficient Warrant. Given under my hand & seal this 19th day of ffebr. 1682. And in the 36th year of ye Raign of our Sover Lord King Charles ye Second EDW CRANFIELD (seal)

To the Trustees or Overseers of ye Town of
Portsmouth, for ye time being.

[Endorsed] The Governor's order for getting Ammunnission.

[*Permit of Justices of the Peace to Call a Town Meeting.*]

Whereas the Trustees or overseers of the Towne of Portsm^{o} have Moved to us under written for Callinge of a Publike Towne Meetinge, To Make Choise of Trustees, or overseers, Constables, Wedawardens Clarke of ye Market Sorthers and sealers of Lether and other offissers neidfull for ye Towne, for ye yere Insuinge, or to Agitate anny Towne Consernes that Maye Presente And whereas There is an order of Counsell Dated the 3^{d} Daye of March 1682 That ye Trustees or overseers of ye severall Townes Presume not to call a Publicke Towne Meeting aboute Anny Towne busnes, without leve from ye Justis or Justises of ye Pese of ye said Respective Townes, wee under written Doe give Leve to The Trustees or overseers of ye Towne of Portsmo: To call ye Towne together ffor the Ends aforesaid when they thinke it Moste Convenyente. Dated In Portsm^{o} In ye Provinces of New Hampsher The 27th of March: 1683

Nath ffryer
W^{m} vaughan } Jus^{es} of peace

Thes are to give notis y^{t} ye Trustees of this toune having Lisense granted you to Call a generall town meeting all ye Inhabitants of this Towen are desired to Met at ye Meeting House one ye 11 of April being wensday come seavnth night About 9: of ye Clock In ye morning

[Endorsed] The Justices permit to call a Town meeting 1683

[*Order of Governor and Council,* 1683.]

New Hampshire By ye Govern^{r} & Councel

Whereas it was represented by the Trustees of Portsmth that several necessary charges for ye Highways Releef of the Poor & ye like, as have arisen since the Gover^{r}s being here for the S^{d} Town of Portsmouth, are fit & necessary to be defrayed

Ordered by the Govern^{r} & Counsel that the said Trustees have power (& are hereby impowered) to issue out mony to ye value of sixty pounds for the uses as aforsd And are hereby ordered to bring in their Accounts thereof by Christmas day next insuing

Ordered, That ye Trustees of Hampton & other ye Towns & places within the S^{d} Province have the same power respectively Dat ye 10th of Decemb 1683 Edw Cranfield

[Endorsed] Governor & Counsells order to disburse monye: 1683

[*Summons for Contempt, Etc.*]

New Hampshire

To John ffletcher Samuel Kayes Phillip Lewis & John Pickering Trustees or overseers for Portsmth

In His Mat^{s} name you & every of you are hereby required upon sight hereof to appear before the Honble the Governour of the sd Province : To answer for not obeying but contemning the warrant of the Justices of Peace for warning the inhabitants within ye Town of Portsmouth in the S^{d} Province to work upon mending ye Highways &c Hereof fail not. Dat ye 8th of Septemb^{r} 1683

By order R : Chamberlain Secr

To the Provost Marshal. or his Deputy to Sumon ye above named Persons

[Endorsed] The Governours summons to ye Trustees 1683

[*Order of Justices of the Peace.*]

New Hampshire

To Samuell Wentworth, John ffletcher, Sam^{ll} Keyes and others the Trustees or overseers of the poor of the Towne of Portsmouth

Wee his maj^{s} Justices of the peace doe hereby order you the said Trustees forthwith to pay unto Deborah Munden six pounds for her care and attendance upon Sarah Winslow * one of the poor of the said Towne who hath not wherewithall to maintain her self, and that you also provide some fitt person to look after her during her illness hereof you are not to fail Given under o^{r} hands and seals the 10th day of May 1684

Robert Mason (seal)
Walter Barefoote (seal)
Richd Chamberlain (seal)
James Sherlock (seal)

[*Form of Certificate given to an Assemblyman for his pay.*]

Province new hampsher

Theis may sertifie home it doth or may conserne That Mark Hunking hath served in Generall Assembley for ye Provnce above sd : att

* See N. H. Historical Society Collections, vol. viii. p. 207, for deposition of Deborah Munden and Nathan Bedford in this case. Sarah Winslow was burned.

Sundry times: since ye 8th of febeuary 1703[4] twenty three days · taken out of ye assembley book this 20th of March 170$\frac{3}{4}$ as witness my hand — John Pickerin
speaker

[Endorsed] my sertevicat for serving in ye assembley for ye town of portsmo: 1703

[*John Pickering's Bill.*]

to ye selectmen of portsmo

gentellmen there is dew to me from youer selffs in behalff of the towne: for bread & flesh for eight men (out of my owne store) ten days provisions, vz each man ten pound of bread & 7 pound & $\frac{1}{2}$ of pork apece, To say in all sixty pounds of pork & eighty pounds of bread: ples to give me an order for it to mr penhaloo who I believe is in the towns debt this being the needfull at present from your frend to serve

June 24: 1705 John pickerin

[*Letter to Col. Hilton About Powder Supply.*]

Portsmth Novr: 9–1705

Collnl Sr according to your desire These are to acquaint you yt we have been takeing care to informe ourselvs where our towne stock is & wt quantity of amunition, as yet have found but one barril of Powder: we have bought about one hundr: & $\frac{1}{2}$ of lead. are taking ye most speady care we can for more: about 14 years since: our townsmen raisd upward of thirty pound to add to ye stock of ammunition wch was commited to such Gentlemens hands yt we have not yet had opertunity to discours wth: thus we subscribe ourselves sr yours to serve
Jos Perse in behalf of
ye Reste of ye Townsmen

[Endorsed] Copia of what ye Townesmen wroate Colonll Hilton 9th 9ber 1705

[*Report on School-houses.**]

To the free holders of the Town of Portsm°

Forasmuch as wee the subscribers were appointed at the last anniversary meeting a Committee to consider what might most tend to the advancing of learning in erecting of schools, and represent the plans that might bee most convenient in order thereunto

Doe report as followeth

That there is absolute necessity of two school-houses, to bee forthwithe established for reading, writing and cyphering; that one of ym bee nere the old meeting hous in the place where the former was, and the other between m^r^ Brewsters and m^r^ Nelson's

March 29 1716/7

Sam^ll^ Penhallow
Thomas Westbrook
Tobias Langdon
Wm Cotton Junr

* In Mr. Fryer's account, dated May, 1678, is an item: "To paid John Denet (?) to make shutters and Benches for our school house." March 16, 1682, Jno. Denet did work on the "skoole house."

The following is without date: "Voted that there be two school mast'rs settled in ye Towne on the North side of ye Mill Dam a Gramer Schole where shall be taught Latin, writeing & Cyphering & ye Bible to be read twice every day On the South side of the Mill Dam to be taught Reading Writeing & Cyphering

the Gramer schole mast'rs to have £10 per annum the other –40– per annum pd by ye Town, every Lattin scholer to Pay to ye Mast'r 20s p annum overplus for his Incouragement."

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